

## HOUSE OF REPRESENTATIVES—Thursday, July 14, 1988

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Give us, we pray, O God, the spirit of thanksgiving in our lives, that spirit that allows us to see how each day we are blessed by the true gifts of other people, the gifts of joy, and sharing and acceptance. May we recall with gratitude those who support us and wish us well—so that we can better appreciate how our lives are made stronger by the prayers and words of others. Give us the true sense of our community, O God, where the bonds of our humanity are daily encouraged and remembered. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 90) entitled "Joint resolution to authorize and request the President to call and conduct a White House Conference on Library and Information Services to be held not earlier than September 1, 1989, and not later than September 30, 1991, and for other purposes."

## IRAN AIR FLIGHT 655—OPPOSITION TO REPARATIONS TO IRAN

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, I am opposed to compensating the victims of the Persian Gulf madness. Certainly the gulf accident was a tragedy, but we here in Washington should not overreact. Iran has been one of the main supporters of terrorist activities in the world. In fact, their top exports are violence and death.

But I think all the Members of Congress should understand that no one compensated American families for the brutal killings of 241 marines in Beirut, Lebanon, and when Iran took

American hostages and held them for 444 days, did they ever mention compensation?

Those were not accidents, Mr. Speaker; our incident in the gulf was an accident. And be advised it is a hot box because Iran has made it such.

I say on the floor of Congress that the Iranian Government should make any compensation in order, not the American taxpayers, and every Member of Congress should speak out on this particular issue.

## HOW ARE WE GOING TO PAY FOR THE DRUG WAR?

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, today's drug crises is evident to everyone. Poll after poll underscores that Americans perceive narcotics trafficking and drug abuse to be the most important issue our Nation faces. In the Congress there are a number of substantial antinarcotics measures being proposed in both bodies and on both sides of the aisle. Congress and the executive branch have created a series of task forces, conferences, and study groups, each offering a variety of proposals on how our Nation can best combat the drug traffickers and the horrible effects of the deadly drugs which they spread around the world.

However, the increased antidrug legislative activity of the last few months, has left one major question unaddressed. It is an obvious but significant question: How are we going to pay for the war on drugs?

In order to provide the funding for our drug war, I plan to introduce a measure that would raise slightly the excise taxes on beer, wine, and tobacco which will provide approximately \$1 billion in additional revenue and earmarked for our drug war.

This modest proposal calls for increases in excise taxes of only 1 cent per can of beer, 3 cents per bottle of wine, and 2 cents per pack of cigarettes.

Everyone agrees that more has to be done in combating narcotics. But to do more we have to find the money to fund these programs. This proposal is a modest, reasonable way to raise the needed funds—less than 1 cent per drink. Accordingly, I invite and would welcome the support of my colleagues.

## HAPPY BIRTHDAY, HAPPY

(Mr. HOPKINS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOPKINS. Mr. Speaker, I rise in observance of a distinguished Kentuckian and an American, the Honorable A.B. "Happy" Chandler of Versailles, KY, who is celebrating his 90th birthday today at home with his family and his friends.

We rejoice today in Happy Chandler's longevity, but more than that we honor the productivity of his life and the compassionate service that he has rendered to the people of our State and Nation throughout the years.

When I was a small boy growing up in west Kentucky and Happy Chandler came to town, that was a happening. Today those of us in public service stand in the long shadows of his contributions and effectiveness.

Happy Chandler was twice Governor of Kentucky, a member of the U.S. Senate and the Commissioner of Baseball. His spellbinding oratorical style, his sharp wit, and indomitable spirit have won him a special place in the hearts of his fellow Kentuckians and in the rich political history of our Commonwealth.

Today we join with his friends in appreciation of his contributions, and I say to my friend, "Happy 90th birthday, Happy."

## HAPPY BIRTHDAY, GOV. "HAPPY" CHANDLER

(Mr. HUBBARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUBBARD. Mr. Speaker, I join my colleague from Kentucky's Sixth Congressional District, Mr. HOPKINS, in extending birthday greetings to my dear friend Albert Benjamin "Happy" Chandler of Versailles, KY. Today is "Happy" Chandler's 90th birthday.

Governor Chandler was born and raised at Corydon, KY, in the western Kentucky district I represent.

I would like to share with my colleagues a letter dated July 8, 1988, to Governor Chandler from our President, a man Governor Chandler likes and admires a lot. The letter is as follows:

DEAR HAPPY: Nancy and I want to add our congratulations to all those you're receiving as you celebrate your 90th birthday.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

We wish you all the returns of the day as you reflect on a full life and many years in service to the people of Kentucky and our entire Nation. Your countrymen know you as a concerned and enthusiastic public servant from your terms as a Governor and United States Senator from the Bluegrass State and as Commissioner of Baseball. We join your fellow Americans in the hope that your special day is one of good cheer.

Again, congratulations. Happy Birthday, and God bless you.

Sincerely,

RONALD REAGAN.

My wife Carol and I are very fond of Governor Chandler and congratulate him upon his 90th birthday. Governor Chandler sang at our wedding—"Because" and "My Old Kentucky Home".

Carol and I regret that we cannot attend today at 4 to 7 p.m. reception honoring Governor Chandler. Hundreds of Governor Chandler's friends will honor Kentucky's former Governor—two 4-year terms, 1935-39 and 1955-59—and U.S. Senator and America's former Baseball Commissioner at a reception today, at Bright Leaf Country Club in Harrodsburg, KY, which has been planned by Governor Chandler's longtime friend Joe Weddington of Prestonsburg, KY.

The master of ceremonies today is another longtime friend of Governor Chandler, Dr. Floyd G. Poore, of Florence, KY, a very successful physician who now is the public liaison official in the office of Kentucky Gov. Wallace Wilkinson.

"Happy" Chandler—may God continue to bless your life. We all hope you enjoy many more happy birthdays.

Our best wishes to you, your lovely wife Mildred and your wonderful family.

#### NO REPARATIONS FOR DOWNING OF IRAN FLIGHT 655

(Mr. SOLOMON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOLOMON. Mr. Speaker, I would like to call to the attention of Members of the House a letter I am sending to President Reagan that expresses our emphatic opposition to the payment of compensation or reparations to Iran in connection with the downing of Iran Air flight 655.

This letter makes clear that there is a tremendous moral difference to be drawn between a mistake and a premeditated attack. And as long as the Government of Iran continues to pursue its objectives in the Persian Gulf and elsewhere by carrying on its senseless war against Iraq, compensation for flight 655 should be out of the question. The only appropriate time when compensation might be considered is during a political negotiation after the hostilities have ceased and American hostages are free.

Let's also be clear on another very important point: the 290 people who boarded flight 655 were already victims of the Iranian Government's murderous policies. This incident never would have happened, if Iran had not been preying on neutral shipping in the gulf, and defying every international diplomatic effort aimed at achieving a cease-fire in the war.

And so I say to you, Mr. Speaker: if you believe as I do that payment of compensation to Iran is premature and unjustified, I ask for your signature on this letter.

#### APPOINTMENT OF CONFEREES ON H.R. 4586, MILITARY CONSTRUCTION APPROPRIATION, 1989

Mr. HEFNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4586) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1989, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. WALKER. Reserving the right to object, Mr. Speaker, I do so to just query the gentleman from North Carolina [Mr. HEFNER], if I could. Attached to this bill was the drug-free workplace language.

Is it the gentleman's understanding that that particular language continues to be contemplated to be put on the Treasury and Post Office bill in such a way that it would cover the gentleman's bill as well and so, therefore, we will not have to go through any process here in order to assure that that language stays in the gentleman's bill?

Mr. HEFNER. If the gentleman will yield, the gentleman is correct.

Mr. WALKER. Mr. Speaker, I thank the gentleman from North Carolina, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none, and appoints the following conferees: Messrs: HEFNER, ALEXANDER, COLEMAN of Texas, THOMAS of Georgia, BEVILL, EARLY, DICKS, FAZIO, WHITTEN, LOWERY of California, EDWARDS of Oklahoma, KOLBE, DELAY, and CONTE.

#### ACID RAIN THREATENING BLACK DUCKS OF SOUTH CAROLINA

(Mr. RAVENEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAVENEL. Mr. Speaker, South Carolina's large waterfowl populations have always been the pride of the State, and black ducks are undoubtedly one of our most admired game birds. Over the past few decades, we have seen a catastrophic decline in all waterfowl populations, but black ducks seem to have been the most seriously affected. In the Atlantic flyway, black ducks have declined 60 percent since 1955. Although much of the reduction in this species is due to the loss of wetland breeding habitat, research by the Izaak Walton League and others indicates there is another, more insidious culprit—acid rain. Acid rain has been shown to eliminate important sources of protein and calcium necessary for breeding and for normal growth of the ducklings. I urge my colleagues to act this year to curb acid rain so that the skies of my State will again be blackened in the fall, not by pollution, but by the seasonal return of these splendid waterfowl.

#### FORCING THE MILITARY TO BUY WEAPONS IT DOES NOT NEED?

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, \$6 billion of the President's Defense budget was recently shifted to pet pork projects. I think we need to talk about this scandalous micromanagement. We have people screaming about waste and fraud in the Pentagon. Let's take a long hard look in the mirror. What sort of credibility do we have when Members of this body force the military to buy weapons it doesn't need? I want to ask my good friend, the respected chairman of the House Armed Services Committee why he forced the U.S. Army to fork over \$500 million for heavy expanded mobility tactical trucks they didn't even want. These trucks, we understand, are manufactured by a company in his State. The chairman wants the Pentagon to save money, and we just cut the defense budget to the bone again. With all due respect, Mr. Speaker, please explain this inconsistency.

#### TRIBUTE TO VERMONT FARMERS

(Mr. OXLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OXLEY. Mr. Speaker, I would like to pay tribute to the splendid efforts I observed Monday, July 11 when a caravan of hay was donated by Vermont farmers to drought-stricken Ohio farmers in Hardin County. Ten



truck loads arrived to a receptive and grateful group.

Hardin County farmers deeply appreciate the generosity of not only the Vermont farmers but also the contributions of the truck drivers, Agway Inc., the trucking firms, and all those who donated their time, fuel, and energy to make this possible. Vermonters Tim Clagett and Peter Smith, candidate for the U.S. House of Representatives spearheaded this effort and deserve special thanks for leading the caravan to Ohio.

Two year ago, Ohio farmers were able to help the drought-stricken farmers in the Southeast. Little did we know that we would be on the receiving end of similar help so soon.

Ohio farmers, as elsewhere in the Midwest, have suffered massive losses due to drought and excessive heat. First cuttings of hay were 50 percent of normal with little or no regrowth for later cuttings. Family dairy farmers are particularly hard-hit and are already using forage normally reserved for winter feed.

Secretary of Agriculture Lyng has responded to the plight of livestock farmers by allowing haying and grazing on set-aside acres, haying on conservation reserve acres, and by promptly approving emergency feed program provisions. I believe it is equally important as the need arises to address the urgent problems of all farmers. I am sure we, in the Congress, will promptly address these broader concerns in the immediate days ahead.

□ 1015

#### IS IT TIME TO REASSESS OUR POSITION ON THE CONTRAS?

(Mr. COATS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COATS. Mr. Speaker, earlier this year Congress responded to the plea that if we would only suspend military aid to the Contras and give peace a chance that democratic reforms would take place in Nicaragua. We did suspend that aid.

I think it is time now that in the face in recent events in Central America that perhaps we reassess that decision.

If we ask Miriam Arguello what we should do, I think she would suggest that we take another look at our policy. She had the audacity to speak out in an opposition rally, and now as a result is imprisoned in a state controlled prison in Nicaragua.

If we ask the Catholic Bishops, they perhaps would ask us to reassess our policy because they issued a pastoral letter that simply said that dramatic changes in the economy and recent events gave rise to the facts that peasants and workers were not receiving adequate food. For that Radio Cato-

lica has been closed because the Sandinistas do not like that kind of criticism. La Prensa newspaper covered and reported the rally which resulted in the imprisonment of Miriam Arguello. La Prensa has been suspended 15 days for that. Even Oscar Arias, the author of the Central America peace plan said:

I really deplore what the Sandinistas have done in recent days. I always thought that the Sandinistas' measures toward a more pluralistic society and their compliance with the democratization stipulated by the Peace Plan was irreversible, but that's not so.

Perhaps what is not so is what ought to cause us to make changes in what we do in terms of our policy toward the Sandinistas.

Mr. Speaker, I urge our Members to take a look at what is taking place in Central America.

#### PRESIDENT FORD'S BIRTHDAY

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, I want to take a moment this morning to wish a happy 75th birthday to my dear, dear friend and former colleague, President Gerald Ford.

I have known this great man for more than 30 years. A guy can have no better friend than Jerry—his wit, his demeanor, his kindness make him a friend par excellence.

Last month I had the distinct pleasure of attending a reunion of Jerry's old friends. What a thrill it was to reminisce about the "Good Old Days." And they were, truly, Good-Old-Days. Jerry was touched by that show of affection, and he should have been—it came straight from the heart.

Jerry Ford is a rare individual, who has served our Nation with love and devotion in this House and in the White House.

Seventy-five years young, Mr. Speaker. You know, there is a goal that many golfers set for themselves, and that is "shooting your age." Having seen Jerry play golf, it is my sincere hope that he lives for at least another 50 years so he can have a shot at that elusive goal!

Jerry and Betty are great people and great friends, and they deserve the very best that life offers. Happy birthday, old pal!

#### THE SCHOOL VOLUNTEER PROGRAM

(Mr. ATKINS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ATKINS. Mr. Speaker, who are the 4.3 million people who regularly attend school, but, are not teachers or students or administrators? They are school volunteers who donate over a

billion hours of service a year to increase the learning opportunities available to our Nation's children.

Just as volunteers vary greatly in their background and interests, they serve the schools in many different ways from tutoring on a 1-to-1 basis to bringing professional expertise into the classroom.

Today, volunteers serve in over 88 percent of our elementary schools, but in only 60 percent of our junior and senior high schools. There is an urgent need to bring volunteer programs into schools that lack them and extend their services to new program areas.

I have introduced legislation, the Business and Citizens School Volunteers of America Act, which will provide incentives for States and local educational entities lacking volunteer programs to create them. It will also assist schools in using their volunteers to combat the most important problems facing our educational system today—the transfer of high technology knowledge, preventing school dropouts and fighting alcohol and drug abuse.

The best thing about the School Volunteer Program is that everyone who participates wins.

#### WAIVING CERTAIN POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4264, NATIONAL DEFENSE AUTHORIZATION ACT, FISCAL YEAR 1989 AND AGAINST CONSIDERATION OF SUCH CONFERENCE REPORT

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 492 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 492

*Resolved*, That upon the adoption of this resolution it shall be in order to consider the conference report on the bill (H.R. 4264) to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, and all points of order against the conference report and against its consideration are hereby waived.

The SPEAKER pro tempore. (Mr. WILLIAMS). The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Mississippi [Mr. LOTT] for purposes of debate only, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 492 is the rule providing for the consideration of the conference report on H.R. 4264, the Department of Defense Authorization for fiscal 1989.

Under the rules of the House, conference reports are considered privileged and are considered in the House under the 1-hour rule, and no amendments will be in order. Under this rule, all points of order against the conference report and against its consideration are waived.

A general waiver of points of order is required in view of the length and detail of the conference report. The document printing the conference report is 559 pages long, and the conferees resolved over 1,000 defense items on which both Chambers had differed. Therefore, in order to expedite final approval of this vital defense legislation, the Rules Committee crafted a rule which provides a general waiver against potential technical procedural violations.

Mr. Speaker, the conference agreement on H.R. 4264 authorizes \$221.1 billion in fiscal 1989 for national defense. When the authorizations for military-end strengths and pay raise are added, the total budget authority implication for national defense as a result of this legislation will be \$299.6 billion.

The conference report contains several arms control-related provisions which represent a resolution of the different actions taken by both Chambers. In addition, authorizations are provided for weapons procurement and for military construction. With respect to personnel matters, the conference agreement authorizes a military pay raise of 4.1 percent and a 7-percent raise in basic allowance for quarters. The conference report also provides direction for the role of the military in drug enforcement.

Mr. Speaker, this bill contains several provisions which are particularly important to my district. The bill authorizes \$11,455,000 for three military construction projects at Wright-Patterson Air Force Base, which is partially in my district. Furthermore, it contains a provision which brings private sector construction financing procedures into conformity with current tax law. This will make feasible a proposed building at Wright-Patterson to provide a secure and modern environment for the development and acquisition management of the Air Force's high-priority aeronautical programs.

Mr. Speaker, this conference report represents the resolution of many issues relating to national defense and national security. I would urge my colleagues to adopt this rule so that the House can complete its work on this important legislation.

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 492 waives all points of order against the conference report on H.R. 4264, the Department of Defense authorization for fiscal 1989, and against its consideration. I would have preferred specif-

ic waivers instead of this blanket waiver. That way Members would have a better idea of what rules may be violated by this conference report.

According to the chairman of the Armed Services Committee, the conference report violates the scope and germaneness rules, the rule against appropriations on an authorization, and, in his words, "Pertinent provisions of the Budget Act." Those provisions reportedly include sections 302(c) and 302(f) of the Budget Act. The former prohibits consideration of new entitlement authority under the jurisdiction of a committee which has received a 302(a) allocation and has not filed its section 302(b) suballocation. The latter section prohibits consideration of new entitlement authority which exceeds the "appropriate" section 302(b) suballocation for such authority.

Mr. Speaker, my reading of those two subsections of section 302 of the Budget Act raises serious questions as to whether they are violated by this conference report for the simple reason that the Armed Services Committee did not receive a section 302(a) allocation under the Budget Act and therefore can hardly be faulted for not filing a suballocation or for exceeding that nonexistent suballocation. It may be because of this ambiguity and confusion over the interpretation of those subsections that the Rules Committee granted the blanket waiver instead of the specific waivers.

I don't think there is any question, though, that the mandatory 4.1-percent military pay raise, and the various active duty and retirement benefit increases authorized by this conference report are entitlements and therefore constitute appropriations on an authorization in violation of clause 5(a) of rule XXI. I support this waiver because I think our military personnel are deserving of these pay and benefit increases.

My colleagues may recall that we passed this bill in the House by a vote of 252 to 172 back on May 11 of this year after 3 weeks of consideration. The Senate passed its version on May 27 by voice vote. Both authorizations were roughly \$221 billion. That amount, taken together with the \$78.5 billion in actual funding for military pay and benefits to be provided through the appropriations process, total the \$299.5 billion for national defense provided for in the economic summit agreement and the fiscal 1989 budget resolution. The final conference version is \$100 million over the amount requested by the President and passed by the Senate, and \$100 million less than the amount authorized by the House.

Mr. Speaker, I think the conferees are to be commended on completing work on this difficult and complex bill in less than a month's time.

However, Mr. Speaker, I have very serious reservations and concerns about many features of the conference report. The priorities were changed in many instances and I think subvert what is in the best interest of strong national defense. The conference report also includes the arms control language which was placed in the House authorization bill.

□ 1030

Mr. Speaker, I think once again the House is out of order. It is exceeding its authority. It is making it difficult for the Chief Executive to do his job in the arms control negotiations. I think it is unfortunate that we have diluted what would be otherwise a pretty good bill with this very damaging language. Therefore, I think the Members should be aware that the President has grave concerns about this legislation and may not in fact sign the conference report.

However, I do think we should go ahead and adopt this rule so we can go to discussion of the substance then of the conference report itself.

Mr. Speaker, I have no requests for time. I would urge the adoption of the rule.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 7 minutes to the gentleman from Oklahoma [Mr. ENGLISH].

Mr. ENGLISH. Mr. Speaker, we are gathered here today to consider the DOD authorization bill. A part of that legislation deals with the issue of drug interdiction. It names the Department of Defense as the lead agency for drug interdiction detection, but I think we have to understand exactly what this legislation does and, more importantly, what it does not do.

By simply declaring that the Department of Defense shall be the lead agency for drug interdiction does not necessarily make it so. It does not mean that there will be 1 additional hour flown by aircraft in drug interdiction or a single hour more being used by our ships at sea. It allows it. It encourages it. It does not require it.

The Department of Defense in the past has been a very reluctant participant in the war on drugs. They have dragged their heels consistently. They have attempted to avoid any kind of requirement that would insist that they participate using the assets that they have. There are those in the Department of Defense who have been cooperative. There are those who have given assistance. But to say that the Department of Defense has been an active participant in the war on drugs is simply wrong.

Mr. Speaker, the fear that I have is that many in our country will look at this legislation, will review it, and will assume that this means that the De-



partment of Defense now is going to take an active part in the war on drugs. That simply may or may not be true. There is no requirement in this legislation to bring that about.

Mr. Speaker, to give the Members some idea as to what would be required to, say, provide detection coverage for the southern border of the United States against aircraft smuggling drugs into this country, I have asked the Department of Defense as to what their estimates would be. The indication is that in order to provide even nighttime coverage during the hours of darkness along our southern border the Navy would need 24 E-2C's to cover the maritime routes. The Air Force would need three AWACS aircraft per day flying adjacent orbits along the southwest border. In the case of the AWACS, it would also require two spares as backups and three tankers per day to be used for refueling purposes. The estimated cost for covering the southwest border during hours of darkness according to the Air Force, for the Air Force contribution, would be roughly \$62 million per year. For the Navy's E-2C's it would be roughly \$63 million.

This legislation is providing for additional money, and certainly the Committee on Armed Services is to be commended for providing those additional resources, some \$300 million, but the Department of Defense is not going to be required in this legislation to use that money for these kinds of assets. The Department of Defense can use that money for virtually anything that they find, even the remotest connection to the war on drugs. Maybe it will; maybe it will not.

What I would urge and suggest is that the Committee on Armed Services, along with other committees in Congress who have jurisdiction, review consistently over the next few months exactly what the Department of Defense is going to be doing with those funds and also whether or not the Department of Defense is going to finally assume the responsibility that this legislation certainly intends.

Mr. SMITH of Florida. Mr. Speaker, will the gentleman yield?

Mr. ENGLISH. I am happy to yield to the gentleman.

Mr. SMITH of Florida. Mr. Speaker, I thank the gentleman for his words and acknowledge that the gentleman has been a leader in the forefront of attempting to get the military and the assets that the military possesses much more into the fight against drugs. I also want to compliment the gentleman on bringing something that I think is very important to the attention of the Committee on Armed Services, and that is oversight on this particular area. There is no question that we would benefit greatly from the military being more actively involved in helping Federal, State and local law

enforcement whose primary responsibility is the drug war make and wage that war by using those assets. The gentleman is correct that we have to watch now what the military is going to do, what the Department of Defense is willing to do, because we are going to pay a price in the long term if the military is not involved in this war. We are going to pay a price well beyond what would be paid if the Department of Defense does not become more actively involved in the process, not in enforcing the law but in helping domestic law enforcement at every level to do their job better with the assets that we have provided, and the gentleman from Oklahoma in the well and I both know as well as the other Members of this body that the \$300 billion that they have, they have the capability.

The question is: Do they have the will and the leadership of the Department of Defense to help this country wage the war and begin to win the war on drugs?

Mr. ENGLISH. Mr. Speaker, I appreciate the compliments of the gentleman from Florida. We have got to understand that this legislation is not going to require that to be done.

Mr. McCURDY. Mr. Speaker, will the gentleman yield?

Mr. ENGLISH. I am happy to yield to the gentleman.

Mr. McCURDY. Mr. Speaker, I thank the gentleman for yielding. I just want to commend him for his leadership in this area, and I just want to let him know that many of us on the Committee on Armed Services are willing to work with him and try to improve the oversight within the Department of Defense on this important issue. The only area that I would take slight issue with my friend from Florida is that, yes, the resources are there, but the question is whether or not the mission has been clearly defined. I think it is important in the next few months that we help and work with the Department of Defense to better clarify that mission to clearly delineate what the roles and objectives are, and in doing so the other issues that the gentleman from Oklahoma has been so active in providing leadership on, I think, will become clearer in focus.

I again commend him for his efforts.

Mr. ENGLISH. Mr. Speaker, I want to assure the gentleman from Oklahoma that I certainly will continue to be active in doing the oversight regarding the implementation of the intent of the Committee on Armed Services, and I want to commend the Committee on Armed Services for their efforts to bring the Department of Defense into a more active role as far as the war on drugs.

Mr. LOTT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LOTT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 276, nays 131, not voting 24, as follows:

[Roll No. 232]

YEAS—276

Ackerman	Dyson	Kostmayer
Akaka	Early	LaFalce
Alexander	Eckart	Lancaster
Andrews	Edwards (CA)	Lantos
Annunzio	English	Leath (TX)
Anthony	Erdreich	Lehman (CA)
Applegate	Espy	Lehman (FL)
Aspin	Evans	Leland
Atkins	Fascell	Levin (MI)
Baker	Fazio	Levine (CA)
Bates	Feighan	Lewis (GA)
Beilenson	Fish	Lipinski
Bennett	Flake	Lloyd
Berman	Flippo	Lott
Bevill	Florio	Lowery (CA)
Billbray	Foglietta	Lowry (WA)
Boggs	Foley	Luken, Thomas
Bonior	Ford (MI)	Manton
Bonker	Ford (TN)	Markey
Borski	Frank	Martin (NY)
Bosco	Garcia	Martinez
Boucher	Gaydos	Matsui
Boxer	Gejdenson	Mavroules
Brennan	Gibbons	Mazzoli
Brooks	Gilman	McCloskey
Brown (CA)	Glickman	McCurdy
Bruce	Gonzalez	McDade
Bryant	Gordon	McGrath
Bustamante	Gradison	McHugh
Byron	Grant	McMillan (NC)
Callahan	Gray (PA)	McMillen (MD)
Campbell	Guarini	Mfume
Cardin	Hall (OH)	Miller (CA)
Carper	Hall (TX)	Mineta
Carr	Hamilton	Moakley
Chapman	Hammerschmidt	Mollohan
Clarke	Harris	Montgomery
Clay	Hatcher	Moody
Clement	Hawkins	Morella
Coats	Hayes (IL)	Morrison (CT)
Coelho	Hefner	Mrazek
Coleman (TX)	Hertel	Murphy
Collins	Hochbrueckner	Murtha
Conyers	Horton	Nagle
Cooper	Houghton	Natcher
Courter	Hoyer	Neal
Coyne	Hubbard	Nelson
Crockett	Huckaby	Nichols
Darden	Hughes	Nowak
de la Garza	Hutto	Oakar
DeFazio	Jacobs	Olin
Dellums	Jeffords	Ortiz
Derrick	Jenkins	Owens (NY)
Dickinson	Johnson (SD)	Owens (UT)
Dicks	Jones (NC)	Panetta
Dingell	Jones (TN)	Patterson
DioGuardi	Jontz	Payne
Donnelly	Kanjorski	Pease
Dorgan (ND)	Kaptur	Pelosi
Dowdy	Kennedy	Penny
Downey	Kennelly	Pepper
Durbin	Kildee	Perkins
Dwyer	Klecza	Pickle
Dymally	Kolter	Price

Quillen	Skaggs	Thomas (GA)
Rahall	Skelton	Torres
Rangel	Slattery	Torricelli
Ravenel	Slaughter (NY)	Towns
Ray	Smith (FL)	Trafficant
Richardson	Smith (IA)	Traxler
Rinaldo	Smith (NE)	Udall
Robinson	Smith (NJ)	Valentine
Rodino	Smith (TX)	Vento
Roe	Snowe	Visclosky
Rogers	Solarz	Volkmer
Rose	Solomon	Walgren
Rostenkowski	Spratt	Watkins
Rowland (GA)	St Germain	Waxman
Roybal	Staggers	Weiss
Russo	Stallings	Weldon
Sabo	Stark	Wheat
Salki	Stenholm	Whitten
Sawyer	Stokes	Williams
Saxton	Stratton	Wilson
Scheuer	Studds	Wise
Schneider	Sundquist	Wolf
Schroeder	Sweeney	Wolpe
Schulze	Swift	Wortley
Schumer	Synar	Wyden
Sharp	Tallon	Yates
Sikorski	Tauzin	Yatron
Sisisky	Taylor	Young (AK)

## NAYS—131

Archer	Gunderson	Obey
Armey	Hansen	Oxley
Badham	Hastert	Packard
Ballenger	Hefley	Parris
Bartlett	Henry	Pashayan
Barton	Herger	Petri
Bateman	Hiler	Porter
Bentley	Holloway	Pursell
Bereuter	Hopkins	Regula
Billakis	Hunter	Rhodes
Bliley	Hyde	Ridge
Boehlert	Inhofe	Ritter
Boulter	Ireland	Roberts
Broomfield	Johnson (CT)	Roth
Brown (CO)	Kasich	Roukema
Buechner	Kastenmeier	Rowland (CT)
Bunning	Kolbe	Schaefer
Burton	Kyl	Schuetze
Chandler	Lagomarsino	Sensenbrenner
Clinger	Latta	Shaw
Coble	Lent	Shays
Coleman (MO)	Lewis (CA)	Shumway
Combust	Lewis (FL)	Shuster
Conte	Lightfoot	Skeen
Craig	Livingston	Slaughter (VA)
Crane	Lujan	Smith, Denny
Dannemeyer	Lukens, Donald	(OR)
Daub	Lungren	Smith, Robert
Davis (IL)	Mack	(NH)
Davis (MI)	Madigan	Smith, Robert
DeLay	Marlenee	(OR)
DeWine	McCandless	Stangeland
Dornan (CA)	McCollum	Stump
Dreier	McCrery	Swindall
Edwards (OK)	McEwen	Tauke
Emerson	Meyers	Thomas (CA)
Fawell	Michel	Upton
Fields	Miller (OH)	Vander Jagt
Frenzel	Miller (WA)	Vucanovich
Gallegly	Molinar	Walker
Gallo	Moorhead	Weber
Gekas	Morrison (WA)	Whittaker
Goodling	Myers	Wylie
Grandy	Nielson	Young (FL)
Green	Oberstar	

## NOT VOTING—24

Anderson	Dixon	Konnyu
AuCoin	Frost	Leach (IA)
Barnard	Gephardt	MacKay
Biaggi	Gingrich	Martin (IL)
Boland	Gray (IL)	Mica
Chappell	Gregg	Pickett
Cheney	Hayes (LA)	Savage
Coughlin	Kemp	Spence

□ 1058

Mr. MICHEL, Mr. RHODES, Mrs. ROUKEMA, and Mr. BOEHLERT changed their vote from "yea" to "nay."

Mr. HAMMERSCHMIDT changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 497, CONDEMNING THE GOVERNMENT OF NICARAGUA'S ANTI-DEMOCRATIC ACTIONS

Mr. HALL, from the Committee on Rules, submitted a privileged report (Rept. No. 100-775) on the resolution (H. Res. 498) providing for the consideration of the resolution (H. Res. 497) condemning the Government of Nicaragua's antidemocratic actions, calling for compliance with the Esquipulas II and Sapoia accords, and urging both sides to the Nicaraguan conflict to return to negotiations, which was referred to the House Calendar and ordered to be printed.

#### CONFERENCE REPORT ON H.R. 4264, NATIONAL DEFENSE AUTHORIZATION ACT, FISCAL YEAR 1989

Mr. ASPIN, Mr. Speaker, pursuant to the provisions of House Resolution 492, I call up the conference report on the bill (H.R. 4264) to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Clerk read the title of the bill.

□ 1100

The SPEAKER pro tempore (Mr. MURTHA). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of July 7, 1988, at page H5047.)

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. ASPIN] will be recognized for 30 minutes and the gentleman from Alabama [Mr. DICKINSON] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN, Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts [Mr. MARKEY] for the purpose of a colloquy.

Mr. MARKEY. I thank the chairman.

Mr. Speaker, I understand the conference report establishes a Nuclear Test Ban Readiness Program within the Department of Energy. Is it the chairman's understanding that the Department is required to provide suf-

ficient funding and programmatic support in fiscal year 1989 for the Readiness Program to begin achieving the objectives laid out for the program?

Mr. ASPIN. If the gentleman will yield, that is correct. The provision does not set a specific funding level in the first year, but it does say that the Secretary "shall establish and support" a Test Ban Readiness Program. The Secretary is therefore expected to earmark a sufficient level of funding from the Department's overall operating expenses budget for weapons activities to get this program established and begin fulfilling its objectives.

Mr. MARKEY. Would the gentleman agree that this program should be accorded a high priority by the Secretary?

Mr. ASPIN. The gentleman is correct. Given the joint announcement at the Moscow summit that following conclusion of the current TTBT verification talks the United States and the Soviets would proceed to negotiate "further intermediate limitations on nuclear testing leading to the ultimate objective of the complete cessation of nuclear testing," this program should be accorded a very high priority in the allocation of the Department's resources.

Mr. MARKEY. Would the gentleman further agree that the primary focus of the Readiness Program would be assembling the specific materials, components, processes, and personnel need for the remanufacture existing nuclear weapons or the substitution of existing alternative weapons should it become necessary to resolve any reliability or safety problems that might arise under a future test ban agreement?

Mr. ASPIN. The gentleman is again correct. The requirement to establish a capability to replace existing warhead materials or components with rebuilds or substitutes is the major innovation of the program. The other objectives outlined for the program require the Department to begin orienting existing nonnuclear testing and stockpile inspection programs as well as ongoing nuclear weapons research programs and activities to address issues that might arise under future nuclear testing agreements.

Mr. MARKEY. Would the gentleman agree that the program is not intended to support the modernization of nuclear warheads or bombs to meet future changes in military requirements?

Mr. ASPIN. The gentleman is absolutely correct. There are already a number of ongoing weapons modernization programs underway at the Department of Energy. This provision has nothing to do with modernization or alteration of nuclear warheads and bombs. It is intended to assure the continued safety and reliability of our



existing nuclear warheads should a low-threshold or comprehensive test ban be negotiated. This would be accomplished either by remanufacturing the components and materials of existing warheads without change or by substituting one existing warhead design for another.

Mr. MARKEY. I thank the gentleman.

Mr. ASPIN. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. Brown] for the purpose of a colloquy.

Mr. BROWN of California. I thank the chairman for yielding.

Mr. Speaker, I note that the conference agreement on the Defense authorization bill prohibits the obligation of residual fiscal year 1988 anti-satellite [Asat] weapon funding. Could the distinguished chairman of the Armed Services Committee please explain the conference committee's decision to take this action?

Mr. ASPIN. If the gentleman will yield, both the House and the Senate Armed Services Committees deauthorized \$16 million in unobligated funds for the Air Force's miniature homing vehicle [MHV] Asat Program. The conference committee upheld these actions. The sentiment behind the House action was that additional expenditures on this program would be a waste of money. Secretary of Defense Carlucci this year canceled the MHV Asat, deciding to concentrate on other areas of research for meeting the Asat mission. The conference agreement provides funding for research into these other areas, but sends the clear message that Congress is not interested in any additional spending on the MHV Asat.

Mr. BROWN of California. What the gentleman has said confirms a recent statement by Maj. Gen. Thomas Brandt, Chief of Staff at Air Force Systems Command, who said, "The MV [miniature vehicle Asat] is dead." However, I am also familiar with a recent report that the Air Force is considering a near-term reprogramming request to keep the MHV Program alive. I am interested in your views on this situation.

Mr. ASPIN. According to testimony before our committee, the MHV Asat has been put to rest, where it belongs. Our hearing record contains the Department of Defense view that "it would make little sense to revive the MV Program next year once it has been shut down this year." Restarting the program would be an extremely expensive option, for a program that I believe would yield no useful Asat capability. Because the program is specifically mentioned in the conference agreement, it is automatically a congressional interest item that would necessitate a reprogramming request for additional funds. Given the established House position on the MHV

Asat, I feel there is essentially no chance that additional funding would be provided for this program. I would thus see it as a futile effort for the Air Force to request a reprogramming this year, or new funding next year.

Mr. BROWN of California. I thank the gentleman for this clarification, and am in full accord with his views.

Mr. ASPIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma [Mr. McCurdy] for the purpose of a colloquy.

Mr. McCURDY. I thank the chairman for yielding.

Mr. Speaker, the bill before us highlights the issue of ICBM modernization and forces decisions early next year for the new President to choose the future course of this modernization. It also asks for administration reports on arms control strategy, and on strategic forces under START, properly drawing the important connection between modernizing our forces and arms control.

Mr. ASPIN. If the gentleman will yield, that's correct. The bill gets us on track for solving the ICBM window of vulnerability problem that we've collectively grappled with for longer than I care to remember.

Mr. McCURDY. I commend the conference for its work on the ICBM question. But it occurs to me that something might be added. While many accept that ICBM modernization will be required at some point to assure that the United States has a survivable retaliatory force in which we have high confidence, views differ on: when such modernization will be required, missile characteristics and basing modes, the extent of new deployments, and the consequences for modernization of possible arms control agreements. Few studies have dealt adequately with all of these, especially the effects of a START agreement and the possibility of even deeper reductions. While the reports from the administration directed in this bill may cover these points, I believe the Congress would benefit greatly from some independent analysis of them as well.

Mr. ASPIN. I quite agree. This administration has some views on these issues, but for whatever reasons, these views haven't solved the problem. A new President needs to take a fresh look, informed by fresh analysis.

Mr. McCURDY. Given this, Mr. Speaker, it seems useful for you to request the Office of Technology Assessment, that traditionally provides such independent analysis, to give us a study of the ICBM modernization issue in the arms control context.

Mr. ASPIN. I agree this would be very helpful. At your suggestion, I will submit such a request. Given the widespread interest in the House on both sides of the aisle, I hope others will join me in this request as well.

Mr. DICKINSON. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. Kolbe] for the purpose of a colloquy.

Mr. KOLBE. I thank the gentleman for yielding.

Mr. Speaker, I would like to engage my colleague, the gentleman from California [Mr. Dellums], chairman of the Subcommittee on Military Installations and Facilities, in a brief colloquy.

Mr. Speaker, the Test and Evaluation Center at Fort Huachuca, AZ, is authorized in this conference report under section 2854 of title 10, United States Code, Restoration of Damaged or Destroyed Facilities. Even though the new facility will not replace the damaged or destroyed World War II buildings on a one-for-one basis, the conferees have authorized the new facility to be built under this authority. Is the Army to understand from this that if they receive an appropriation of \$5.4 million for this project, the committee agrees that sufficient authorization is provided to proceed with the construction of the Test and Evaluation Center at Fort Huachuca?

Mr. DELLUMS. Mr. Speaker, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from California.

Mr. DELLUMS. I thank the gentleman for yielding.

Mr. Speaker, my response is yes, the gentleman from Arizona is indeed correct.

Mr. KOLBE. Mr. Speaker, I thank the gentleman from California for his response and thank the gentleman from Alabama for yielding.

Mr. DICKINSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before proceeding I ask unanimous consent that the dissenting views of the Armed Services Committee Republican conferees, a copy of which I have here, be included in the Record immediately following my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DICKINSON. Mr. Speaker, the DOD authorization conference report being considered today is not a good one. I did not vote for the House-passed bill, did not sign the conference report, and will not vote for it today. Last night I sent a letter to all House Republicans explaining my reasons for not supporting the bill and urged a no vote today.

I recommend this action in support of Secretary of Defense Carlucci and the President. Secretary Carlucci is extremely disappointed with this bill, particularly after 6 months of good faith dealings with our committee and others involved in the Defense budget

process. As of yesterday, the President had decided not to sign the bill. I know that serious consideration has been given to the possibility of veto during the past 2 weeks. All things considered, I believe the President's decision makes the most sense.

Today, we should show our dissatisfaction with the Defense authorization bill. I had hoped that this year's Defense budget process would produce a bipartisan bill following last fall's budget summit and the appointment of Frank Carlucci as Secretary of Defense. While much of this bill does reflect hard bipartisan work, important strategic and arms control provisions are once again the exception. The conferees failed miserably on these sensitive issues. As Secretary Carlucci stated in a letter to me last week, "The conference outcomes on key strategic programs and arms control provisions harm U.S. security interests."

On these strategic and arms control issues, this conference report is not much better than the House-passed bill. Instead of looking objectively at the facts and then judging these issues on their merits, partisan politics dominated the entire process.

In the arms control area:

First. SALT II: For the second consecutive year Congress will direct that Poseidon submarines scheduled for overhaul be dismantled. These dismantlements will once again be falsely justified on the grounds of budget savings instead of arms control. Insisting on the unilateral United States observance of arbitrary limits of an expired arms control treaty that both we and the Soviets are in violation of harms the prospect for a START Treaty and is not in this country's national security interest. Congress continues to reward the Soviets for their violations of past agreements.

Second. Nuclear Testing: This bill once again puts the arms control "cart before the horse" by directing the Secretary of Energy to prepare the U.S. nuclear weapons stockpile for a comprehensive test ban environment. However, both the United States and the Soviets have rejected such a hasty agenda and have agreed to proceed with an orderly, step-by-step negotiation on the nuclear testing issue. We once again are undermining our arms control negotiators.

Third. Depressed trajectory ban: Congress has set a potentially irresponsible precedent on an issue about which we have absolutely no expertise. Not one hearing was held on this legislation in either the House or Senate. Even if such arms control legislation proves to be a worthwhile objective, it should be negotiated bilaterally with the Soviets and not unilaterally imposed by Congress.

In the strategic modernization area:

First. ICBM's: The rail garrison and Midgetman compromise was the worst

case of congressional micromanagement and mismanagement in the entire bill. Nowhere else in the bill did Congress better demonstrate its inability to deal in good faith. The original request for the Midgetman was zero, and this bill funds it at \$250 million. The original request for rail garrison was \$1 billion, and this bill funds it at \$250 million—a 75 percent reduction. Proponents of this ridiculous arrangement will insist that it puts both programs on "a level playing field." Don't be swayed by the rhetoric. Hundreds of millions of dollars of savings already realized in the Rail Garrison Program will be lost, contracts will have to be canceled and restructured, and jobs will be lost. "Smoke and mirrors" have once again carried the day.

Second. SDI: We fund SDI at \$4.1 billion, a reduction of \$800 million from the President's request. In view of all the reviewing and inevitable restructuring the SDI Program is and will be going through in the coming months I believe the funding figure is adequate. The problem is not only in the funding; the conferees also significantly reduced the administration's ability to flexibly manage the SDIO Program by specifically earmarking 20 percent of SDI's research and development funding. For example, this bill forces the administration to spend at least \$225 million on the free electron laser. In the first place, this is \$50 to \$70 million too much in light of the reduced SDI budget. The reason this program was fenced was political, not programmatic. It became very clear in conference that this was election year welfare for Democrats from New Mexico. We see similar welfare programs being earmarked in the appropriations bill.

If, as we did with ICBM's, we are going to ignore our responsibilities and leave the hard choices up to the next administration, we should be consistent, stop micromanaging SDI, and let either President Bush or President Dukakis decide on the program's future.

I am very unhappy with this liberal Democratic defense bill, particularly after spending the last 6 months working hard to avoid such an outcome. Secretary Carlucci is displeased with this bill and has every right not to deal with Congress in good faith again. The President has decided not to sign this bill. The message being sent is very clear. Vote "no" on adoption of this conference report.

DISSENTING VIEWS OF REPRESENTATIVES DICKINSON, BADHAM, STUMP, B. DAVIS, HUNTER, KASICH, L. MARTIN, BATEMAN, SWEENEY, BLAZ, IRELAND AND HANSEN

After last fall's budget summit, and in view of Secretary Carlucci's more compromising attitude towards congressional relations with the Pentagon, we had high hopes that the FY 1989 Defense Authorization Bill would represent a bi-partisan effort.

Unfortunately, this bill is as partisan as any in recent memory.

The majority of the bill accurately reflects six months of hard, bi-partisan work on the part of the House and Senate Armed Services Committees. As in the past, however, a handful of important strategic and arms control issues have not been constructively addressed. We consider the arms control, ICBM modernization, and SDI provisions to be inconsistent with the national security interests of the United States.

#### SALT II

In the FY 1988 Defense Authorization Bill, Congress endorsed U.S. violation of SALT II's quantitative sublimits. Congress nevertheless directed the Administration to deactivate a Poseidon submarine scheduled for overhaul in order to keep the U.S. in only a "slight" violation of SALT II. Unwilling to accept the widespread criticism that it was unilaterally legislating arms control, Congress justified the Poseidon deactivation on the grounds of saving money.

Both the U.S. and the Soviets remain in violation of SALT II quantitative sublimits, and this bill once again codifies U.S. violation of the treaty. However, it also directs that two Poseidon submarines scheduled for overhaul in FY 1990 be "pulled back" into FY 1989; one to be deactivated and the other to be tied to a pier to await deactivation. For the second consecutive year, these submarine deactivations are being justified on the grounds of budget savings. Insisting on unilateral U.S. observance of selective limits of an expired arms control treaty that both parties are in violation of harms the prospect for a START Treaty and is not in this country's national security interest.

#### DEPRESSED TRAJECTORY FLIGHT TEST BAN

This bill directs that a ban on the flight testing of depressed trajectory ballistic missiles be implemented in FY 89. This approach to a complex issue is, in effect, little more than a first step down the "slippery slope" of pretending that nuclear weapons can be controlled by prohibiting flight testing. A potentially irresponsible precedent is being set on an issue about which Congress has little or no expertise. Moreover, even if a flight test ban on depressed trajectory ballistic missiles proves to be a worthwhile objective, it should be the subject of bi-lateral negotiations with the Soviet Union, not a unilaterally imposed ban initiated by the House of Representatives.

#### NUCLEAR TESTING

On the issue of nuclear testing, this bill directs the Department of Energy to establish and support a program to maintain the safety, reliability and continued deterrent effect of the nuclear stockpile in the event that a low threshold or comprehensive ban on nuclear testing is implemented. No funds are provided for this program (making it an undistributed reduction) and, moreover, a low threshold or comprehensive test ban is unlikely to be realized for years, if not decades. Under the auspices of preparedness, proponents of the nuclear testing provision are pushing an agenda on a schedule that both the U.S. and the Soviets have already rejected during recent negotiations. There is agreement at the highest levels of both governments to proceed with the negotiation of nuclear testing issues in an orderly, step-by-step manner with the first priority being given to improvement of verification regimes for existing nuclear testing treaties. By directing the Secretary of Energy to prepare the nuclear weapons stockpile for a



low-threshold or comprehensive test ban beginning in FY 89, this bill puts the arms control "cart before the horse," perhaps by several decades.

#### ICBM MODERNIZATION

The worst case of congressional micro-management in this entire bill is the politically-derived formula for ICBM modernization. Early this year, at the behest of several senior Members of Congress, Secretary Carlucci made a good faith gesture in directing the Air Force to request \$200 million in FY 89 for the SICBM despite an earlier Department of Defense decision to terminate the prohibitively expensive program. It should be noted that the Department's initial decision to terminate the SICBM followed Congress' massive reduction in this year's (FY 88) SICBM funding from a \$2.2 billion request down to \$700 million. The idea behind Secretary Carlucci's \$200 million SICBM request for FY 89 was to keep the program alive, at a minimum level of funding, so the next administration would have the option of reinvigorating the program if it desired.

Thus, the ICBM modernization request for FY 89 provided \$793 million for rail garrison and \$200 million for the SICBM. Over the past months, the idea of maintaining a SICBM option for the next administration has been manipulated by the program's supporters, particularly House Democrats. The SICBM option idea somehow changed to a new idea that both the rail garrison and SICBM programs should be put on a "level playing field" so the next administration could make an objective choice between the two. Linking the two programs was never a component of Secretary Carlucci's good faith offer and did not take into account their approach was not enough for SICBM proponents who have now insisted, regardless of the programmatic impact, that both programs be funded at equal levels in the name of satisfying political perception.

This bill provides \$250 million for the SICBM, \$250 million for rail garrison, and withholds an additional \$250 million pending a decision by the next administration over which program, if either, will proceed. Ignoring the fact that such a funding formula will mean the re-structuring of rail garrison contracts and the loss of significant savings realized through competition, Congress has added \$50 million to a program that it almost terminated a year ago while reducing FY 89 rail garrison from \$1 billion to \$250 million. This is not a "level playing field" and is entirely unacceptable.

#### SDI

While this bill pretends to clear the way for the next administration to select the future direction of ICBM modernization, it has not provided similar flexibility in regards to the SDI program. The President's original \$6.7 billion FY 89 request for SDI has been reduced to \$4.1 billion—a 40 percent cut. In addition, this bill establishes minimum and maximum funding levels for specific programs totaling \$660 million, almost 20% of SDIO's FY 89 research and development budget. If Congress is going to absolve itself of its responsibility to decide the ICBM issue, it should be consistent and do the same for SDI.

The process of bi-partisan compromise on these important issues hasn't broken down because it never existed in the first place. In our view, important parts of this bill are no better than the House-passed version and should not be supported.

□ 1115

Mr. ASPIN. Mr. Speaker, how much time do we have on our side?

The SPEAKER pro tempore (Mr. MURTHA). Twenty-two minutes.

Mr. ASPIN. Mr. Speaker, let me get through some colloquies, and then maybe I would like to engage the gentleman from Alabama [Mr. DICKINSON] in a little bit of talk about the process here at some point because, if the gentleman from Alabama is as unhappy with the product here as he sounds, maybe we ought to rethink the way we are doing this process because we clearly changed in conference. We changed some provisions from what I would have liked to accommodate the gentleman and Mr. WARNER on the Senate side, and, if we are not able to do that, we are going to have to pass these bills only with Democrat votes. I think maybe next time we ought to have a gang of two meeting instead of a gang of four meeting.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Alabama.

Mr. DICKINSON. It would come out the same.

Mr. ASPIN. No, Mr. Speaker, it would not.

Mr. DICKINSON. Oh, yes, Mr. Speaker.

I wonder if the gentleman from Wisconsin [Mr. ASPIN] would point out to me where he has acceded to the wishes of this Member and how we made it better from where I stand. Where in the bill? Where in the conference?

Mr. ASPIN. Mr. Speaker, we did not get what we really would have liked on the SALT II limits.

Mr. DICKINSON. Mr. Speaker, the gentleman from Wisconsin [Mr. ASPIN] says he only got 75 percent of what he wanted instead of a hundred percent. Is that right?

Mr. ASPIN. No, Mr. Speaker.

I am not going to argue with the gentleman from Alabama; I am not going to argue the gentleman's point. I just think that this was a pretty straight, down-the-line split, and what we had on our side was a little bit of unhappiness with our arms control people that we did not get more. I think the gentleman from—

Mr. DICKINSON. Mr. Speaker, maybe the gentleman from Wisconsin ought to join the State Department. They did not get more. How much more is there?

Mr. ASPIN. Mr. Speaker, I will not argue the point with the gentleman from Alabama except to make the point that I think we will do the conference different the next time.

Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa [Mr. NAGLE].

Mr. NAGLE. Mr. Speaker, I rise in support of this conference report, particularly the bilateral flight test limitation on depressed trajectory ballistic missiles. This provision promises to protect national security by seizing a major destabilizing first-strike technology and taking it off the board forever.

Achievement of this test limitation was a team effort. In particular, I thank my cosponsor, Mr. DORNAN, for demonstrating that national security can rise above partisanship, and Chairman ASPIN for vigorously advancing the House position in conference. I also thank Mr. MCCURDY and Mr. GEPHARDT for pitching in at critical moments in the House debate. Finally, I thank Mr. DOWNEY, Mr. AUCOIN, and Mr. CARR for their many years of work on this issue, without which this test limitation would not have been possible.

The key conceptual House-Senate agreement was made in a small meeting between the two chairmen and ranking minority members, which I also attended. I understand the Senate was most reluctant to have nonconference members in that meeting; I was invited to participate, and was present to carry the negotiation to basic agreement, at the insistence of Mr. ASPIN. For this I am also in his debt.

Additionally, I thank Mr. ASPIN in advance for a letter he has prepared for transmission to the Secretary of Defense and the Director of Central Intelligence. This letter will indicate the view of the House that the depressed trajectory report, in its consideration of whether the Soviets could deploy at DT capability without testing, needs to evaluate whether such a capability would offer sufficient confidence and surprise potential for effective use in a disabling first strike against time-sensitive United States strategic assets.

Most importantly, Mr. ASPIN's letter indicates that the report needs to address the critical question of what the Soviets can do under this testing limitation, versus what they can do if we allow flight testing without restriction.

In conclusion, I am in full agreement with the sentiments just expressed by the gentleman from Wisconsin regarding the conduct of Defense authorization conferences in the future. The obligation of the conferees is to advance the position of the House, even when it may be at variance with their personal views. If there are Members who, in good conscience, feel they cannot play by the rules, it is probably better that they not play at all.

Mr. ASPIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. LEATH] for the purpose of a colloquy.

Mr. LEATH of Texas. Mr. Speaker, it is my understanding that the following is the intent of Congress in adopting section 822—titled "Source for Procurement of Certain Valves and Machine Tools."

First, the primary reason that Congress thought this provision was necessary was to assure that viable U.S. machine tool and valve manufacturing industries are maintained in this country—industries which are capable of

responding to critical defense requirements in an emergency.

Second, Congress wanted to assure that our defense arsenals, shipyards, air logistic centers, ships and submarines are able to operate efficiently during a national emergency and are not depending on foreign sources at a time when the foreign suppliers may not be able to respond. In short, the prime reason for these restrictions is national security.

Is this understanding correct?

Mr. ASPIN. Mr. Speaker, will the gentleman yield?

Mr. LEATH of Texas. I yield to the gentleman from Wisconsin.

Mr. ASPIN. Yes, that is correct.

Mr. LEATH of Texas. Mr. Speaker, it is also my understanding that it is the intent of Congress to grant the Secretary of Defense authority to make exceptions to the restrictions contained in section 822, on a case-by-case basis, in those instances where there is documented justification for such waivers. In other words, exceptions are not to be made on a broad, overarching basis—but only if they are justified in individual cases.

Mr. ASPIN. If the gentleman will yield; yes, that is correct.

Mr. LEATH of Texas. In order to assist the Department of Defense in the interpretation of the exceptions contained in section 822 and in the preparation of implementing regulations, I think it may be helpful to clarify the exceptions.

Section 822 places restrictions on foreign procurement of certain classes of machine tools and ship/submarine values. Exception (B) would permit foreign procurement if U.S. producers would not be jeopardized and if the particular foreign country involved does not discriminate against defense items produced in the United States. It is my understanding that it is the intent of Congress that a determination would be made on the basis of an overall defense trade balance with the country in question. However, if a country discriminates specifically against certain categories of defense items the Secretary shall not waive the application of the act with respect to those items.

Is this understanding correct?

Mr. ASPIN. If the gentleman will yield; yes, that is correct.

Mr. LEATH of Texas. Exception (D) would permit a waiver to be granted by the Secretary of Defense, if the restriction would impede cooperative programs entered into between the Department of Defense and a foreign country. It is my understanding that the cooperative programs referred to involve specific coproduction programs and not broad agreements, such as memoranda of understanding [MOU] between the Department of Defense and foreign countries to strike down existing trade barriers.

Is this understanding correct?

Mr. ASPIN. If the gentleman will yield, yes, that is correct.

Mr. LEATH of Texas. I thank the chairman.

Mr. ASPIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. BUSTAMANTE] for the purpose of a colloquy.

Mr. BUSTAMANTE. Mr. Speaker, I would like to engage the gentleman from Wisconsin [Mr. ASPIN] in a colloquy to clarify conference report language on the C-26 aircraft reprogramming.

Mr. Speaker, does the conference report language concerning reprogramming fiscal year 1988-4PA for 3 additional C-26 Air National Guard aircraft intend to limit the unit cost of the additional aircraft to be no greater than the actual unit cost paid for the six aircraft approved for fiscal 1986?

Mr. ASPIN. Mr. Speaker, will the gentleman yield?

Mr. BUSTAMANTE. I yield to the gentleman from Wisconsin.

Mr. ASPIN. Yes. The Air National Guard's reprogramming request included under and over estimates of actual program costs because it was developed before the Air Force completed the congressionally mandated competition for the procurement of the six aircraft. The competition resulted in a unit price of \$3.4 million per aircraft. The conference report language intends to limit the cost of the reprogrammed additional three aircraft to the current contracted unit price in order to prevent overcharging for these aircraft.

Mr. BUSTAMANTE. Mr. Speaker, I thank the chairman for the clarification.

Mr. ASPIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington [Mr. DICKS] for the purpose of a colloquy.

Mr. DICKS. Mr. Speaker, I would like to clarify for the record the conferees' intentions in directing that the U.S.S. *Henry Clay* (SSBN-625) and the U.S.S. *James Monroe* (SSBN-622) not be operated beyond September 1, 1989. As I understand the conference report, the deactivation of the U.S.S. *James Monroe* will begin no later than September 1, 1989. The U.S.S. *Henry Clay* will not be operated or deployed after that date.

Mr. ASPIN. If the gentleman will yield, that is correct. Both ships will be removed from service by September 1 and neither ship will be operated or deployed. In both cases the missiles would be removed from these ships as of that date. The U.S.S. *James Monroe* is directed to commence deactivation no later than September 1, 1989. Due to shipyard availability the U.S.S. *Henry Clay* will not enter the shipyard for deactivation until about January 1990. Because of the shipyard schedule, the conferees specifically author-

ized that funds may be used to maintain the U.S.S. *Henry Clay* beyond September 1, 1989.

Mr. DICKS. Thank you, Mr. Speaker. As the provision would require the U.S.S. *Henry Clay* to remain tied to the pier for approximately 5 months before shipyard inactivation would commence, provision needs to be made to maintain crew training and to provide for ultimate safe transit to the inactivating shipyard. The crew and their families are homeported in Charleston, SC; however, it is my understanding the deactivation may be conducted at a shipyard on the west coast of the United States. To maintain ship safety and readiness to conduct the shipyard transit, the crew needs to conduct in-port training. Additionally, a short underway sea trial is necessary to conduct final ship preparation and checks prior to transit to the inactivation shipyard. It is my understanding this type of activity conducted to ensure crew and ship safety while it is in a nondeployable status is within the intent of the Congress.

□ 1130

Mr. ASPIN. Mr. Speaker, if the gentleman will yield, permitting the crew of the U.S.S. *Henry Clay* (SSBN-625) to conduct crew training in port and a short underway trial prior to proceeding to the inactivating shipyard are consistent with the intent of this legislation. There is no intent to interfere with the safe maintenance of the ship or to impose a hardship on the families. The actions you describe are an acceptable manner for the Navy to carry out the congressional direction provided all missiles are removed prior to September 1, 1989, and the ship is in-port and restricted from at-sea operations other than the sea trial and transit to the inactivating shipyard.

Mr. DICKS. Mr. Speaker, I thank the gentleman for the explanation of the legislative intent.

Mr. Speaker, if the Chairman would permit one additional comment, I want to say on behalf of many of us in the House how much I appreciate the leadership that the gentleman has demonstrated on a whole series of arms control issues. We have heard from the other side that some of these are very controversial with the administration; but in my own judgment I think what the House has attempted to do is preserve a framework of arms control so that the next administration has a choice about what to do about offensive weapons and defensive systems.

I think without the leadership of the chairman we could be in a situation today where the ABM agreement was torn up and where there was no restraint on offensive weapons. I think the country would be ill served if that had been allowed to happen.



So I want to applaud the chairman for his leadership in the House and this committee for the work that it has done to try to preserve a structure of arms control for the next administration.

Mr. ASPIN. Mr. Speaker, I thank the gentleman from Washington for his comments.

Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Speaker, I rise in strong support of this conference agreement. First, however, I would like to express my thanks and support to the chairman of the Armed Services Committee for his tenacity and dedication to present a responsible and timely bill to the House. There were almost 1,000 differences in funding levels and language between the House and Senate versions of this authorization act. Having the privilege to serve on the conference committee, I am well aware of the effort the members of the committee made to fashion a fair compromise that will ensure a continued strong national defense.

As in any conference agreement, there are points that I disagree with. However, the overall policy set by this legislation is sound. Failure to approve this bill could result in significant setbacks for our national security.

This bill responsibly addresses the issue of ICBM modernization. I support development of the small mobile ICBM, also referred to as Midgetman. And, although I am a strong supporter of mobilizing the MX Peacekeeper in order to make it more survivable, I have several reservations concerning the Air Force's plan to place these missiles on railroad cars. However, I believe the position taken by the conferees, \$250 million for each, with \$250 million in an account to be spent by the next President, is the best method for ensuring that one of these critical options, and hopefully both, will survive.

This conference agreement also ensures that our sea-based leg of the triad will continue to improve. By purchasing 66 D-5 missiles and another trident ballistic missile submarine, we are continuing to modernize these forces and make them more survivable.

This legislation also continues research in the strategic defense initiative. As a long-time supporter of this program, and a member of the research and development subcommittee, I supported a funding level somewhat higher than the conference agreement. However, I am convinced that the \$4.1 billion authorized for SDI is adequate to continue a vital and strong research program, with the goal of deployment in the 1990's.

There was also a concentrated and dedicated effort by the conferees to ensure that our conventional forces continue to improve. We have increased funding above the administration's request for M1 tanks, AH-64 Apache helicopters, F/A-18 Hornet aircraft, F-14 Tomcats, and F-15 fighters. These increases are extremely important in view of the recently ratified INF Treaty.

Finally, I am encouraged by the provisions in this agreement which move us toward an end to the flow of illegal drugs into our Nation. We have appointed one Federal agency, the Department of Defense, to be responsible for

detection and monitoring of aerial and maritime transit of illegal drugs into the United States. The Department has the equipment and the talent to coordinate this endeavor, and it is time we utilize them in such an important role.

Mr. Speaker, this is not a perfect bill. But, it is a bill which meets the requirements of a strong national defense. I could not support it if it did otherwise.

Mr. ASPIN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Mr. Speaker, I rise in support of this legislation and I commend the chairman for his leadership.

Mr. Speaker, I rise in support of this conference report because I believe that this bill represents the best middle ground that could be achieved for funding DOD programs under difficult budget circumstances. I also believe that the conferees have struck a delicate balance among procurement, RDT&E, readiness and O&M activities. I am particularly pleased that the major DARPA initiatives in advanced submarine R&D high-temperature superconductivity and advanced microelectronics manufacturing technology have all been carefully looked after in the conference report. With no real growth projected for the overall Defense budget and a clear shift from strategic to conventional emphasis. It is most critical to initiate high payoff R&D programs that will allow for advanced weapons systems at acceptable costs. I am also pleased that the conferees have authorized eight C1-30's for the Air National Guard; these aircraft are vitally needed.

One of the shortcomings I see in this bill is that, regrettably, the conferees ignored advanced technology as an option for the new production reactor. I have language in the House bill that would have directed the Secretary of Energy to give significant consideration to inherent passively safe features in evaluating the designs for the new production reactor. The fact of the matter is several reactor manufacturers have passively safe designs for advanced light water, heavy water reactors, and gas reactor concepts.

I do not believe that the provisions of section 1435 recognize the reality of safety concerns about the construction of this new reactor. It is no longer acceptable to think about this issue in terms of business as usual. The NPR must offer the promise of being a very safe machine or the project will just not stand up to the great scrutiny that it must undergo from a new independent commission overseeing DOE's defense activities.

Mr. Speaker, I urge support of the bill chiefly because it represents a thoughtful and balanced approach to authorization levels for the DOD programs.

Mr. ASPIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. HUTTO] who wants to engage in a colloquy with the gentleman from Alabama [Mr. NICHOLS].

Mr. HUTTO. Mr. Speaker, I appreciate the gentleman yielding me this time.

I would like to ask the gentleman from Alabama, as the gentleman

knows, as chairman of the Coast Guard Subcommittee I have more than a passing interest in what is done regarding the drug amendment which was in our House bill, which was \$475 million. This was reduced to \$300 million. Most of our money had gone to the Coast Guard and none of it in the conference goes to the Coast Guard, so this is of great concern since the Coast Guard has a number of land-based and sea-based Aerostats, as well as E-2-C's on loan from the Navy. Now, how will these assets be managed? Will the Coast Guard continue to do that, or how will it be coordinated? Could the gentleman enlighten us a little bit on that?

Mr. NICHOLS. Mr. Speaker, if the gentleman will yield, I appreciate the interest of the gentleman from Florida in the Coast Guard. Let me say to the gentleman in response that the bill passed by the House included an authorization of \$415 million for the Coast Guard. Most of this authorization was to buy equipment, such as Aerostats, airplanes, helicopters, and so forth.

The Senate had no such provisions, I say to the gentleman, in their bill.

In conference we agreed to give a specific mission in drug interdiction to the Department of Defense. We believe that the DOD budget should be devoted to DOD purposes.

Thus the conference report contains no authorization specifically for the Coast Guard.

We agree wholeheartedly that the Coast Guard should be funded and we have established a legislative process to do this outside the Department of Defense authorization.

The bottom line being, I say to the gentleman from Florida, that the bill does not mandate any specific arrangements. It does create a lead agency making it the responsibility of the DOD and it specifies that the Department of Defense is to work out these arrangements and coordinate in effect all agencies.

We intend to exercise oversight on how that will be done.

Mr. Speaker, I hope that responds to the gentleman's question.

Mr. HUTTO. Mr. Speaker, I do appreciate the gentleman's response, and since the appropriations bill on the House side and the Senate side on defense has funding for the Coast Guard, some of this may not be authorized after it is reconciled in conference, and I would appreciate the help of the gentleman and the help of the chairman of the Armed Services Committee in getting with us and working it out so that we can be sure to authorize what is necessary for the Coast Guard to do its job. They have been cut back 55 percent on patrolling, so it needs help, and I do appreciate the gentleman's cooperation and help.

Mr. DICKINSON. Mr. Speaker, I yield 5 minutes to the very distinguished gentleman from California [Mr. BADHAM].

Mr. BADHAM. Mr. Speaker, I would like to commend our leader on the minority side here for the work that he has done in this conference and on this bill and against kind of overwhelming odds, trying to help put together a good bill and a good conference report. I understand the gentleman's frustrations.

This is probably going to be the last DOD authorization conference that I will be able to participate in. It will probably be the last conference report that I will speak to on this floor as a member of the Armed Services Committee, since I will not be here next year, by my own choice.

I would just like to be able to say that I was going to support this conference report and that there was a lot of good in it, and there is some good in it, but I am unfortunately not going to be able to support the bill we had that passed this House, nor will I be able to support this conference report for many, many reasons.

I will encourage, as I am at this moment, the President of the United States should this conference report pass, I would encourage my friend of a long number of years, who also leaves office this year, President Reagan, to veto this conference report and virtually assure that the votes will remain within this body on this side of the aisle to sustain that veto.

If I have had over the past 8 years any disagreement of major scope with my friend, the President of the United States, it has been his reluctance to veto bad legislation, costly legislation, unworkable legislation. I have pleaded with the President on many occasions to vote more bills, that such vetoes would have been sustained.

I think this is a perfect example, this bill we have before us today.

I will have to say, there is a lot of good in this bill and in the conference report, and that is that the authorization number of \$299.5 billion was adhered to and that was an agreement made last year.

There are lots of good programs that are funded or authorized in this bill, a lot of things for our people in the military who are of higher quality now than they have been for some time. Our equipment is better, our readiness is better, and we are starting to destroy that philosophically and to undermine the gains that we have made over the past several years in the defense of our country, our way of life, and the defense that we share for the freedom of the western world, that we share with our allies.

Mr. Speaker, this conference, and I do take some bit of amusement at the so-called colloquy that did ensue between our respected chairman, who I

respect greatly, our chairman and our ranking minority member, that maybe we are going to have to change the conference system in the future.

Well, I hope we do, Mr. Speaker, and I hope we will change it for the better, not keep going down the road where again this year we had a conference that was made up I guess of more members from the Armed Services Committee than ever before and extraneous conferees, as we refer to them, from about every other committee, to deal with things that properly should not even be in this bill. A lot of the arms control issues should be handled by committees that handle arms control, not the defense of our country.

It is the job, as I see it, of this committee to provide for the authorization of the equipment, the materiel, and the people in uniform who will provide for the defense, the common defense that is required by the Constitution, for the people of our country.

In the MX, or the rail garrison small ICBM Midgetman, I was one who encouraged at least keeping alive the Midgetman program because that would give the President who is now in office and the President who will succeed him next year the ability to use that and other programs to sustain whatever kind of modernization we might need if we go into any kind of an arms reduction treaty, which I hope we will, and I think we will.

The Midgetman itself I encouraged keeping alive even over the opposition of the Defense Department because we need not or should not at this time just scrap any system, even though it probably will not in the future become a deployed system.

I would use the parallel here that we did with the Pershing II and the ground-launched cruise missile.

The SPEAKER pro tempore. The time of the gentleman from California [Mr. BADHAM] has expired.

Mr. DICKINSON. Mr. Speaker, I yield 3 additional minutes to the gentleman from California [Mr. BADHAM].

Mr. BADHAM. Mr. Speaker, I thank the gentleman for yielding this additional time.

In the case of the Pershing II and GLCM, we deployed those systems knowing full well that the idea in deployment was to get rid of those systems sooner or later. That cost a lot of money, but did it do the defense of the free world good? Yes, it did. We eliminated the SS-20's in the process.

The same way with the Midgetman. Now, the Midgetman per warhead is probably the most expensive strategic system ever conceived by the mind of a man and it will not fly, it will not fly financially, it will not fly feasibly. It will not fly from an economic standpoint. So it is going to be eliminated sooner or later, but we ought to keep it going until we get to that time when

we decide that even yet we might need that, infeasible as it might be, for a follow-on system of modernization.

Now, that gets us to the rail garrison system which has somehow taken on a political opposition to the Midgetman which will not fly.

The political opposition is that if you cannot have that, you cannot have the other, but that is not true, because the Scowcroft Commission called for examination of additional basing systems. The rail garrison meets those criteria and should be continued. Indeed, the Defense Department felt so heavily that they allocated in their request \$1 billion for the continuation of the rail garrison in engineering development and zeroed the Midgetman.

We came to a proposal agreement that we should have at least \$800 million of the \$1 billion for the rail garrison and keep the Midgetman line open, just open, just warm for another year. That was rejected and made both programs of \$250 million each unworkable as far as this coming fiscal year is concerned.

On the SDI, the respected minority ranking member has pointed out that not only do we micromanage, we overmicromanage when we make deep and further cuts in the SDI and then micromanage with parochial and provincial concerns the goodies within the SDI to micromanage it so certainly it will one of these days fall of its own weight by those who would say, "Let's micromanage that and everything else."

SALT II has gone beyond its time and would have been passed out and canceled by now or rejected even if it had been in effect, for the simple reason that its time has run out.

So for these and many other reasons, although the equipment is good in the bill, I request that this conference report be defeated, and I will encourage the President to veto it.

Mr. DICKINSON. Mr. Chairman, I yield myself 1 minute to reply to my very distinguished colleague, my close friend, the gentleman from California [Mr. BADHAM].

As the gentleman has pointed out, he is retiring at the end of this calendar year in the congressional session. I have sat side-by-side, cheek-to-jowl with him, for many, many years. He has been a very incisive, dynamic, informed, persuasive, hard-working member of our committee for 10, these many years and I would just like to say while the gentleman is here, he will certainly be missed. He is a very valuable member of the team.

□ 1145

Mr. Speaker, I do not think we could have done nearly so well in turning out the legislation to support a strong defense as we have if it had not been



for his presence, his ranking on the Procurement Subcommittee. He has really the interest of the country at heart. We will miss him, and I did not want the opportunity to pass without being able to at least pay him that much respect.

Mr. ASPIN. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I am happy to yield to the gentleman.

Mr. ASPIN. Mr. Speaker, let me echo and agree entirely with the comments made by the gentleman from Alabama. There is no question that of all the people on the Committee on Armed Services that the gentleman from California [Mr. BADHAM] has been the guy that has been an essential part of the Committee on Armed Services and its work for as long as I have been on the Committee on Armed Services. We will, indeed, miss him a great deal. Sometimes we will miss him more than others, but on the whole, he has been a very, very constructive force and a person whose judgment and whose counsel we will miss very much, and it is hard really to imagine the Committee on Armed Services without him. I commend the gentleman from Alabama for bringing this to our attention. I wanted to do it myself, but I think it is important that we do it, because the gentleman from California may leave the floor and we would not want him to miss the opportunity for him to hear these nice words in spite of our differences on and off a lot of issues.

Mr. Speaker, in fact, we agree on an awful lot of issues, and I really do think the gentleman from California will be missed very greatly by our committee, and I am very sorry to see him leave.

Mr. DICKINSON. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Speaker, first of all, I thank the gentleman for yielding, and as the gentleman from California [Mr. BADHAM] leaves, I would like to say as one of the newer members of the committee that there is nobody who understood the systems better than the gentleman from California [Mr. BADHAM], and I think that is one area of the committee we need to continue to improve. That is going to be a great loss.

Mr. Speaker, I also want to think that the chairman is not being given the proper share of credit for what he was able to get in the final bill on arms control. I am frankly surprised that anybody on his side would criticize him for what he has been able to get in this bill, because if those Members really want to take a look at this bill, that is the reason why I think we should vote "no." I think we should rip all of this arms control stuff out and leave the rest of it in there, be-

cause the rest of the bill is pretty good.

Mr. Speaker, if Members look at SALT II, we are yanking submarines out of the next fiscal year and putting them into 1989, which is an unheard-of feat, which is what the gentleman from Washington [Mr. DICKS] wanted done because he wanted to preserve SALT II. All the Members remember SALT II, that is the agreement that allowed the Soviets to add dramatically to their total strategic arsenal and sanctions arms growth rather than arms control, and we have a nuclear testing provision in this bill which is Markey revisited. The Markey amendment was defeated, and yet we stuck it back into the Committee on Armed Services bill, and we got a new item. We are going to hear about that every single fiscal year. Do Members know what that is called? It is called depressed trajectory. What we are going to do with it, and it is pretty tough to say, but we will call it depressed trajectory ban for 1 year, but it is going to be revisited 1 year, and the year after and the year after. This was a handy idea that somebody drummed up probably in the middle of the night on a napkin and put it in the Defense bill, and what we have done here is we have done something unilaterally. We have done something the experts on both sides agree makes no sense, and while we had an offer to study this, that was rejected. We have now this unilaterally imposed trajectory ban on the United States, and then SDI, of course, we micromanage SDI. We have got every expert in the world down on the SDI panel telling us that the Congress should not micromanage SDI. What do we do? We micromanage SDI. We say what we should spend it on and what we should not spend it on, and the experiments. I think the chairman ought to be complimented by his side for being able to include all of these arms control measures including nuclear testing.

Mr. ASPIN. Mr. Speaker, will the gentleman yield?

Mr. KASICH. I am happy to yield to the gentleman.

Mr. ASPIN. Mr. Speaker, I appreciate the gentleman's compliments, and I would be happy to have him go and talk to my arms control caucus people.

Leaving aside the issue of substance, which we can argue in different points, the point is that the gentleman is arguing against provisions that, of course, the House voted in large measure for. The House voted to abide by SALT II. The House vote a moratorium on nuclear testing provided the Soviet Union did it. The House voted on a depressed trajectory ban provided the Soviet Union did it.

What we have out of this conference is a lot weaker than the House voted on. That is part of the legislative process.

The SPEAKER pro tempore. The time of the gentleman from Ohio [Mr. KASICH] has expired.

Mr. ASPIN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio.

Mr. KASICH. Mr. Speaker, I appreciate what the gentleman says, and yielding me 1 minute. Depressed trajectory—the cosponsor on the Republican side withdrew when he received intelligence information that said that this is a disastrous approach.

Mr. ASPIN. Mr. Speaker, will the gentleman yield?

Mr. KASICH. I am happy to yield to the gentleman.

Mr. ASPIN. Mr. Speaker, the gentleman means the Dornan depressed trajectory that passed the House overwhelmingly?

Mr. KASICH. The gentleman is correct. The man withdrew his support when he got more information which we had said was a bad idea.

On SALT II, the bill that we have over in the conference committee, the Department of Defense said that the provisions that we had in the Dicks amendment were already violated by the Soviet Union.

Mr. ASPIN. Mr. Speaker, I do not want to argue the substance of the issue which we did in the bill, but I would just like to point out that conferences deal with the legislation as they have it, and all of these measures, the three measures that the gentleman mentioned, passed the House by large numbers, and passed in a much more stringent form than we are bringing back from conference. We had the conference, and I would have liked to have the conference do exactly what the House did. We ended up doing what we had to do with the Senate in order to bring back a conference, but we watered them down, all three of these.

Mr. KASICH. Mr. Speaker, reclaiming my time for 15 seconds, that is why I said the chairman ought to be complimented because all of this arms control stuff that we are shoving down the President's throat which he does not want, we have put that in here, so rather than them criticizing the gentleman, they ought to praise the gentleman, but we should defeat this. We should defeat this conference committee report, and we ought to yank it all out, and we ought to support the President, and then we can vote "yes" and support the good reforms like that which the gentleman from Massachusetts [Mr. MAVROULES] put in there on acquisitions.

Mr. ASPIN. The gentleman is correct about whom we should praise and not right about what the President should do with the bill.

Mr. Speaker, I yield 2 minutes to the gentleman from California [Mrs. BOXER].

Mrs. BOXER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to compliment my chairman, the gentleman from Wisconsin [Mr. ASPIN], and I would like to compliment the gentleman from Massachusetts [Mr. MAVROULES], who is the Chair of the acquisition panel, for their excellent work on military reform matters.

There are two issues that were very important to this Member, and I could tell you right now we do not have that much help in the other body, but it was the firm approach of the gentleman from Massachusetts [Mr. MAVROULES] in the subconference and the strong support of the chairman of the committee in the full conference that resulted in two very important reforms: First, a military whistleblower protection. For the first time those in the military who are harassed because they have blown the whistle on waste, fraud and abuse will be protected. There will be a system set up so that they can have justice if they are in fact harassed.

When we look at this procurement scandal, Mr. Speaker, we find it would never have come to fruition without a whistleblower, and until this bill we had nothing in place to protect those within the military who were patriotic, who viewed their job as one of truth and justice, and now there is a system in place to help them.

Finally on legal fees, up until this bill if a military contractor or a defense contractor had defied a case in court and was found guilty, believe it or not that contractor could have billed the taxpayers for those legal fees. Under this bill which, again, the gentleman from Massachusetts [Mr. MAVROULES] and the gentleman from Wisconsin [Mr. ASPIN] helped so much with, the defense contractors, if they are guilty of violating any Federal law, cannot bill the taxpayers for the legal fees. I am very excited about this reform. I hope we take it even further next year, Mr. Speaker, and extend it to State and local laws.

In conclusion, let me just say that I am very proud of the conference in this arena as well as arms control.

Mr. DICKINSON. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Virginia [Mr. BATEMAN], a very valued member of the committee.

Mr. BATEMAN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of the position taken by the distinguished gentleman from Alabama in opposition to the adoption of the conferees' report, and I include in the RECORD remarks made in my capacity as ranking member of the Subcommittee on Military Personnel and Compensation with respect to that aspect of the bill.

Mr. Speaker, I rise in strong opposition to the conference report on H.R. 4264, I would like to make a few brief remarks about the manpower portions of the Defense bill.

As ranking minority member of the Subcommittee on Military Personnel and Compensation, I believe that, overall, the conference agreement on H.R. 4264 has quite a lot to offer our men and women in uniform. It would provide a 4.1-percent increase in basic pay and basic allowance for subsistence and a 7-percent increase in basic allowance for quarters. This represents the largest active duty pay raise since 1981 and although it would not make military wages comparable with civilian wages, it would at least keep pace with the expected rate of inflation. Moreover, it would help address the very serious gap between the real cost of housing today and the value of housing allowances the military currently provides.

Another plus for military personnel—especially military families—is the substantial increase in the amount of household goods military families would be able to move at Government expense during a permanent change of station move. Recent studies have suggested that the Government currently reimburses only \$1 for every \$3 spent by a service member during a Government-directed move, and I hope that this provision will go a long way toward eliminating this unfair subsidy.

I was also pleased with the conference agreements on a number of medical provisions designed to improve the recruiting and retention of health professionals in the Active and Reserve Forces. During subcommittee hearings over the past several years, many of us have become convinced that medical shortages represent one of our greatest readiness problems and that we must afford medical issues our highest priority if we are to fulfill promises made to peacetime beneficiary groups and to correct medical readiness deficiencies.

One area in the manpower portion of the conference report with which I take strong exception is the provision on a new aviator retention bonus of up to \$12,000 per year for Navy and Air Force pilots serving in shortage positions. This is a particularly important issue because the airlines are hiring military pilots at an accelerated rate and the Armed Forces are losing personnel who are among their best, brightest—and most expensive—assets just as they reach their prime. The Air Force had asked for \$54 million to implement the program in fiscal year 1989 and the authority to target the bonus to fixed wing pilots who had completed their initial service obligations and who had less than 14 years of service.

I am sorry to say that the conferees nicked and dimed this one. Instead of permitting the military experts to target their program according to their needs, we imposed new and unwanted targeting criteria. Instead of providing \$54 million, we authorized \$36.2 million, which is not enough to pay bonuses to all the aviators who are likely to get out of the military and join the airlines. And at a cost of \$6 million to train each new fighter pilot, I can safely say that this is another penny-wise and pound-foolish provision. The \$18 million we did not authorize relates to a cost of \$2.1 bil-

lion to train replacements for the one fighter pilot a day the Air Force is losing.

Mr. DICKINSON. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Mr. ROWLAND], one of the newer members of the committee who has really distinguished himself and done a tremendous job.

Mr. ROWLAND of Connecticut. Mr. Speaker, the gentleman from Ohio [Mr. KASICH] was absolutely right. The chairman deserves tremendous applause for the efforts he has made on two fronts, No. 1, dealing with the economic realities that we face in the defense budget, and I have got to also applaud the ranking member and all of the ranking members of the subcommittees for working so hard to keep the numbers down and in addressing the budget deficit that we all realize we have to face up to.

The other side, of course, is to congratulate the chairman for keeping the arms control provisions intact in the conference report. Once again, foreign affairs, arms control negotiations, have become a key component of this legislation. It appears there have been two summits going on for the past year—the summit between the Soviet Union and the United States, when our President and Mr. Gorbachev have sat down and discussed and agreed on reduction of arms, onsite inspections and verification. The other summit that has been going on has been going on on the floor of the House and within the Committee on Armed Services, and I think we are sending the wrong message to the next administration and to the American people.

Mr. Speaker, we have a great thing going with our relations with the Soviet Union at this point. We need to veto this legislation. The President needs to veto this. We need to bring it back, go back to work, strip the arms control provisions out and send a message to the next administration that we are going to allow them to do foreign policy and we are going to allow them to sit down and negotiate, that we will not unilaterally tie the hands of our negotiators of the next administration and those working so hard on our behalf.

Mr. Speaker, I would urge all of my colleagues to vote no on this conference, and we will go back to work, and we will keep all the great economic things that were done and certainly the work of the gentleman from California [Mr. BADHAM] and others which is indicative of that work, and I look forward to another bipartisan effort next year.

Mr. Speaker, I rise in strong opposition to the conference report on H.R. 4264, the National Defense Authorization Act for Fiscal Year 1989.

As a conferee on two matters which related to Ethiopia and the Soviet Union, I regret that I must take such a position since many



months of hard work—on both sides of the aisle—have gone into this legislation. However, given the fact that the bill includes a number of intrusive foreign policy and arms control mandates, I must urge rejection of this legislation.

Without these provisions, I believe H.R. 4264 is basically a good piece of legislation. It closely resembles the national defense plan which was originally submitted to the Congress by President Reagan earlier this year. Although I believe it is unfortunate that the defense budget is reduced in real terms for the fourth year in a row, we know that political realities make any real growth impossible. I would note that although this bill provides for a reduction of about 1 percent in real terms, the situation could be far worse than it is.

Let's give credit where credit is due. Because inflation is way down—due to the President's economic program—we are able to come close to providing real growth for defense. This would be absolutely impossible to do if inflation was running in the double-digit range as it did during the Carter-Mondale administration.

The low inflation rate has also allowed us to provide a pay raise and housing allowance to our military personnel which truly reflects the higher cost of living. As a member of the Readiness Subcommittee, I cannot state enough that if we want to continue to have a military structure based on volunteers, we must take the necessary steps to compensate them properly.

Obviously, this was a good decision on the part of the conferees. I regret that I cannot say the same with specific regard to the issue of ICBM's. I believe that Congress needs to fish or cut bait on the issue of intercontinental ballistic missiles. Quite simply, we cannot afford—and I do not believe that we need—two separate ICBM systems.

Yet, rather than making the tough decisions in these times of high budget deficits, this bill continues funding for both the MX Rail Garrison and the Small ICBM Midgetman Program. This is a mistake.

We heard many times from the other side of the aisle during debate on the DOD bill, that "we should pay as we go." Well, if that is so, then I would like to know how the majority side plans to pay for the \$42 billion Midgetman system! What taxes do you want to raise, or what programs do you propose to cut? I am willing to stand here and say that the Midgetman system is one which we do not need. To leave the option open for the next administration to decide is little other than an abdication of our responsibility.

The action by the conferees to place language relating to the SALT II Treaty, depressed trajectory flight tests and nuclear testing in the final bill, are also unfortunate decisions. I am afraid that the entire bill—and much good work—is about to be doomed because of these provisions. It appears there were two summits this year—the one in the Soviet Union and the one in the House of Representatives.

We could argue these points for hours on end. In my opinion, however, these provisions lock in policies which would be better left to the negotiating table with the Soviet Union. They constitute unilateral concessions on the

part of the United States without any corresponding Soviet action. Mr. Speaker, I don't think that is the way we should do business.

For these reasons—and several others—I urge rejection of the conference report.

Mr. ASPIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma [Mr. ENGLISH].

Mr. ENGLISH. Mr. Speaker, section 1103 directs the President to submit a plan for the integration and operation of the C3I system by the Department of Defense. Also, on page 4 of the statement of managers, the conferees indicate that the language of the section does not place DOD personnel in a command role. Is it the intention of the conferees that the Department of Defense function in an advisory capacity to civilian law enforcement agencies with regard to the establishment and operation of this system and that DOD personnel not be placed in actual command of the system? Is it also the intention of the conferees that authorizations, provided for in section 1106, allow for the incremental upgrades to this system by the Department of Defense?

Mr. ASPIN. Mr. Speaker, will the gentleman yield?

Mr. ENGLISH. I am happy to yield to the gentleman.

Mr. ASPIN. Mr. Speaker, yes, that is the intent of the language. The Department of Defense has provided technical advice in the past, and it is the intention of the conferees that they continue to do so. We do not mandate that the Customs C3I system come under military operation or control, although we do desire to see an effective communications linkage between the civilian and military C3I systems in order to eliminate duplication, enhance actual detection and monitoring operations, as well as improve the overall sharing of intelligence information in interdiction efforts. In this regard, because of the vital part the C3I system plays in overall detection and monitoring of drug smuggling activity, the provisions of this bill would allow Department of Defense authorizations to be used for incremental upgrades to the system.

Mr. ENGLISH. Mr. Speaker, on page 2 of the statement of managers, the conferees urge the accelerated deployment of a network of aerostat radars along our southern border. Is it the intention of the conferees to have the Department of Defense assume responsibility for the operations and maintenance of this system and to insure that detection data received by these radars is transmitted to both the military and civilian C3I networks?

Mr. ASPIN. Mr. Speaker, that is certainly one possible arrangement that could come about as the Department of Defense assumes this mission. We have not mandated specific arrangements in this legislation so that the

President as Commander in Chief and the Secretary of Defense can develop the best system possible utilizing the assets of the Department of Defense and the law enforcement agencies. The conference report calls for several reports from the President and the Secretary of Defense on specific plans and timetables and, as previously stated, we intend to be actually involved in working with the Department of Defense on this mission.

Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. MAVROULES].

Mr. MAVROULES. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, let me also commend the gentleman from Wisconsin [Mr. ASPIN] and the gentleman from Alabama [Mr. DICKINSON] for a job very well done.

Mr. Speaker, I just wanted to get into some of the funding levels adopted, \$86.2 billion for operation and maintenance and working capital funds. This is a \$225 million reduction from the administration's request, but it is a \$5 billion addition over last year's appropriations for an account that is extremely, extremely important. We made a special effort to reprioritize funding within the requests to protect readiness areas at the expense of administrative and housekeeping activities.

□ 1200

I will go right through the major legislation provisions adopted:

The sum of \$13 million to continue transporting humanitarian aid to Afghan refugees;

A prohibition on selling Toshiba products in military exchanges;

Several provisions to preserve the capabilities of our military depots;

Established minimum qualifications for auditors general in the military services;

Several provisions to improve security and control of military supplies and inventories;

Limited the operation of the two Poseidon-class submarines;

Resolution of the longstanding debate on the Fort DeRussy Armed Forces Recreation Center in Hawaii;

Reinstated Reserve and Guard force structure reductions;

Preserved the SR-71 Depot capability, extremely important; and

Prohibited private operation of commissary stores.

That is a brief report to the chairman and the Members, and I thank the gentleman for yielding.

Mr. DICKINSON. Mr. Chairman, I yield 3 minutes to the very distinguished and able gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I thank the ranking Member for yielding and want to thank him for his work in

going against the tide and the current in this House when he offered the amendment to use the military in narcotics interdiction when we put the bill up on the House side. We want to thank him for doing that.

I want to say, Mr. Speaker, that if last night was an average night in the United States, 10 to 27 drug planes carrying narcotics flew across our unprotected, unscrutinized southern borders, mainly coming from Central America, and brought in a large amount of cocaine for the enormous traffic that is taking place today and destroying America's children and America's inner cities. We have no radar across the southern border right now.

Two very able gentleman, whom I want to yield to in a minute, the gentleman from Illinois [Mr. DAVIS] and the gentleman from Arkansas [Mr. ROBINSON] also braved the current and went against the House leadership which stripped the narcotics interdiction language from the DOD bill. They came back when there was an opening allowed, and the gentleman from Illinois [Mr. DAVIS] was the parliamentarian who discovered that and drove our amendment, the Hunter-Davis-Robinson amendment through the House with an overwhelming vote, took it to conference where it was married up and compromised with the Wilson amendment on the other side, and because of that we have a major sea change in the drug wars, and that sea change is that the military is given the mission of surveilling and pursuing narcotics aircraft and ships that are coming in and bringing somewhere in excess of 300,000 pounds of cocaine each year into the United States.

Mr. DAVIS of Illinois. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I am glad to yield to the gentleman from Illinois who was a major author of this amendment, and I thank him for that role that he played.

Mr. DAVIS of Illinois. Mr. Chairman, I thank the gentleman for yielding and for his flowery comments. I too want to thank the gentleman and the ranking member for lending their support to the amendment in order that we could essentially get it passed and excite the process, get this into the ball game. This conference committee report we have is the best of all of our language, the best of the Senate language, and truly puts the military foursquare in the battle on the war on drugs, where they belong.

Mr. ROBINSON. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Arkansas so that he may describe what we expect from the military with regard to monitoring and pursuing planes.

Mr. ROBINSON. Mr. Speaker, the conference report clearly states that

the conferees expect DOD to take prompt action to provide the necessary detection and monitoring capabilities in those border areas that serve as the primary points of entry by drug smugglers, which includes complete radar coverage.

Furthermore, I want to also thank our chairman and also our ranking minority member because for the first time, as the lead agency, the DOD will be responsible for coordinating all air and sea surveillance activities by the Federal Government, including the elimination of unnecessary duplication.

Mr. HUNTER. I thank both gentlemen for their work here.

Mr. DICKINSON. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding.

I was not going to say anything until I heard the gentlewoman from California tell us about truth, honesty, and whistle blowing in the specter of this military bill. It seems to me that we ought to at least point out that one of the things down in this bill is something that has received a lot of comment here recently, and that is the Oshkosh truck deal that is evidently down in this bill too, and it seems to me one of the things we ought to point out is that this is money which was not requested by the Army. We are not talking now about \$100 hammers. We are talking about \$50,000 trucks. That is right down in the bill.

Mr. HENRY. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Michigan.

Mr. HENRY. Mr. Speaker, I appreciate the gentleman bringing this to our attention. My people back home get confused about discussions over binary and unitary chemical systems, arguments over MX and Midgetman missiles, but they do understand problems of putting in authorizations that even the Department of Defense says are unnecessary and wasteful. All I suggest is that there are loopholes in the bill broad enough to drive a truck through, and I thank the gentleman for yielding.

Mr. DICKERSON. Mr. Speaker, I yield myself my 1 remaining minute.

In closing, Mr. Speaker, I would like to make a point of clarification and will add additional language relative to the ASAT.

It is my understanding, and I think it is the understanding of all dealing with the ASAT issue, the miniature homing vehicles, that what occurred had to do with the F-15 and not the entire generic program of the miniature homing vehicles.

Mr. Speaker, I would like to make a point of clarification in regards to the earlier colloquy on the ASAT Program between the gentleman from Wisconsin [Mr. ASPIN] and the gentle-

man from California [Mr. BROWN]. While it is true that the Department of Defense canceled the ASAT Program at the beginning of the fiscal year 1989 budget process, they canceled the F-15 MHV Program, not the generic MHV Program.

The MHV technology is still under consideration and it never was the Department of Defense's intention to completely abandon the technology. Moreover, it is not my understanding that the conferees action in "rescinding" the remaining \$16 million in the F-15 MHV ASAT Program was in any way intended to prejudice the MHV technology itself. I submit section 216 of the conference report in support of my statement.

#### SEC. 216. PROHIBITION ON OBLIGATION OF FUNDS FOR CANCELLED ANTI-SATELLITE WEAPON PROGRAM.

(a) PROHIBITION.—Residual fiscal year 1988 ASAT funds may not be obligated for the ASAT program.

(b) RESIDUAL FISCAL YEAR 1988 ASAT FUNDS DEFINED.—For purposes of this section, the term "residual fiscal year 1988 ASAT funds" means funds in the amount of \$16,000,000 which were appropriated to the Department of Defense for fiscal year 1988 for research, development, test, and evaluation for the Air Force which—

(1) were originally made available for the ASAT program; and

(2) which remain available for obligation following cancellation of that program by the Secretary of Defense.

(c) ASAT PROGRAM DEFINED.—For purposes of subsections (a) and (b), the term "ASAT program" means the program of the Air Force to develop an F-15 launched miniature homing vehicle antisatellite weapon.

In closing, Mr. Speaker, let me say we worked long and hard on the bill, and I think we have come up with a faulty product. It is for that reason that I am urging a "no" vote on this, and would like to point out to all within hearing of my voice and those who will later come to the floor that a no vote on this bill will give a strong indication to the President that if he should choose to veto this and perhaps the subsequent appropriation bill what his support might be.

So I urge a "no" vote by all.

Mr. ASPIN. Mr. Speaker, I yield myself my remaining 1 minute.

Mr. Speaker, there are a couple of administrative items I would like to bring to the attention of the House.

First, the conferees adopted a provision that would provide additional authority to the Secretary of Defense in fiscal year 1989 to lend materials or supplies and provide materials, supplies, or services of personnel to the Presidential Inaugural Committee.

This provision is section 306 in the conference report.

Unfortunately, through a printing error, the report language accompanying section 306 was omitted from the printed version of the joint explanatory statement of the committee of conference included in the conference report. I should note that this report language is included in the conference report as it was filed.



I include that report language that should have explained section 306 in the RECORD at this point.

#### INAUGURAL ASSISTANCE (SEC. 306)

The conferees are concerned that the authority contained in section 2543 of title 10, United States Code, for the Secretary of Defense to provide support to the Inaugural Committee may not provide sufficient flexibility to encompass the full range of support that the military services have traditionally and customarily provided to the ceremonies marking the inauguration of the President. Accordingly, the conferees have included a provision giving the Secretary of Defense additional authority during fiscal year 1989 to lend materials or supplies and provide materials, supplies or services of personnel to the Inaugural Committee under conditions prescribed by the Secretary.

The conferees believe that in providing this increased flexibility, the Inaugural Committee should reimburse the Secretary of Defense for the materials, supplies or services of personnel provided to it in connection with any event that is not a public event. The conferees also believe that when providing the services of members of the armed forces to the Inaugural Committee for any event that is not a public event, the Secretary should utilize only members of the armed forces who have volunteered for service with the Inaugural Committee.

The second item, Mr. Speaker, pertains to a provision not adopted by the conferees that would express the sense of Congress on preparation of certain economic impact and employment information concerning new acquisition programs.

This material was inadvertently omitted from the filed copy of the statement of managers, and I ask unanimous consent that it be printed in the RECORD at this point.

#### SENSE OF CONGRESS ON PREPARATION OF CERTAIN ECONOMIC IMPACT AND EMPLOYMENT INFORMATION CONCERNING NEW ACQUISITION PROGRAMS

The House bill contained a provision (sec. 811) which expressed the sense of Congress that the Secretary of Defense should not, before a program is approved for full-scale development, prepare any information with respect to economic benefits or employment impact of the program in a particular State or congressional district.

The Senate amendment contained no similar provision.

The conferees agree with the goals of the House provision, and believe that its purpose can be achieved without further legislation by directing the Secretary of Defense to issue a regulation to address the issues raised by section 811 of the House bill. Accordingly, the House recedes.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Texas for the purpose of a colloquy.

Mr. PICKLE. Mr. Speaker, in the DOD authorization bill there is language prohibiting the Secretary of Defense from entering into sole source contracts with a university. I assume that this does not pertain to the establishment of FFRDC's, and I just wanted to be sure that that is the gentleman's understanding?

Mr. ASPIN. I would say the gentleman is correct and his understanding of the language is correct.

Mr. PICKLE. I thank the gentleman.

Mr. FASCELL. Mr. Speaker, as in past years, members of the Committee on Foreign Affairs served as conferees on foreign aid and arms control provisions in the fiscal year 1989 Department of Defense authorization bill.

In a spirit of compromise and bipartisanship with the House and Senate Armed Services Committee conferees, these issues were resolved to the general satisfaction of the House Foreign Affairs Committee conferees.

Of particular special interest to the Foreign Affairs Committee was the Fasel-Broomfield amendment dealing with the On-Site Inspection Agency [OSIA]. While our preference is to have this new arms control-related agency be an integral part of the Arms Control and Disarmament Agency, we understand the interests of the defense community in this new agency.

As established by the executive branch, OSIA is responsible for implementing the verification provisions of the INF Treaty as signed in December 1987.

Of special interest to the Foreign Affairs Committee is the fact that the On-Site Inspection Agency will have a lead role to play in establishing and overseeing the verification provisions of a strategic reductions treaty as well as any future nuclear arms control agreement.

As OSIA is directly linked with an arms control agreement and will be performing an arms control function, it is clearly within the Arms Control and Disarmament Agency's [ACDA] purview, which is authorized by the Foreign Affairs Committee.

Under the Arms Control and Disarmament Act, the Arms Control and Disarmament Agency is charged as reflected in section 2 with the "formulation and implementation of United States arms control and disarmament policy in a manner which will promote the national security."

As defined in the act, the "terms 'arms control' and 'disarmament' mean the identification, verification, inspection, limitation, control, reduction, or elimination, of armed forces and armaments of all kinds under international agreement to establish an effective system of international control \* \* \* as reflected in section 3 of the Arms Control and Disarmament Act.

As such, it is clear that primary jurisdiction over OSIA exists within the Foreign Affairs Committee.

Accordingly, the fiscal year 1989 Defense authorization bill includes compromise language requiring that any authorization of appropriations for the On-Site Inspection Agency shall be submitted as a separate activity. This conference compromise is intended to enhance the Foreign Affairs Committee and other committees to fulfill their jurisdiction and oversight obligations and responsibilities. The annual budget request to Congress shall also include details of all funding and military and civilian personnel requested for OSIA, including the number of personnel from all agencies assigned to OSIA.

The conference compromise requires the submission of a report to the relevant committees of the Congress from the Secretary of

Defense, the Secretary of State, the Director of Central Intelligence and the Director of the United States Arms Control and Disarmament Agency on the On-Site Inspection Agency.

Each report shall describe the responsibility each officer has with respect to on-site inspections and the organizational elements of each department or agency relative to functions related to monitoring or verification of arms control agreements.

More specifically, each report shall: First, describe in detail the monitoring and verification activities carried out with respect to the INF Treaty; second, evaluate the effectiveness with which these functions have been implemented; and third, include recommendations for any future organizational or policy changes that may be necessary in view of the experience of implementing the INF Treaty.

As far as the Foreign Affairs Committee is concerned, the committee will have responsibility for OSIA to the extent that OSIA sets overall verification and arms control policy; implements U.S. verification policy; and establishes guidelines for monitoring, escorting and collection activities.

The Foreign Affairs Committee looks forward to working with the Armed Services Committee and other relevant congressional committees of jurisdiction as we manage the activities of the On-Site Inspection Agency.

The foreign policy and arms control implications of the administration's binary chemical weapons production proposals represent another issue of special interest to the Foreign Affairs Committee.

As to be expected in a conference bill, the binary chemical weapons provisions contained in the DOD conference authorization bill for fiscal year 1989 represent a compromise between the House and Senate positions and between proponents and opponents of the binary chemical weapons production program.

The House-Senate compromise reached in conference on the Department of Defense authorization bill for fiscal year 1989 assures that there will again be no production of the Bigeye binary nerve gas bomb this year. The bottom-line judgment by both the House and the Senate was that this new binary chemical weapon is far from ready for production and is still plagued with testing reliability problems. Accordingly, the conferees stipulated that the Bigeye bomb must prove itself production-worthy both to the General Accounting Office [GAO] and the Pentagon's Office of Operational Test and Evaluation before any future funds can be authorized by Congress to be spent on this multibillion dollar program.

Funds, both prior-year funds released by a presidential certification and a small amount of fiscal year 1989 funds—\$15 million of \$99 million requested—can be used only for purposes related to the continued testing program for the Bigeye bomb. More testing is absolutely necessary if this bomb is ever to prove itself ready for even low-rate initial production. The conference language specifically prohibits low-rate initial production and final assembly before positive certifications by the GAO and DOD's Office of Operational Test and Evaluation.

A firm line between testing and production was deemed prudent and wise due to the ex-

perience with other weapons systems such as Divad where billions of dollars were wasted in production because an ill-prepared weapon system was allowed to slip into production before proper, complete, and successful performance in developmental and operational testing. The Operational Test and Evaluation Office at the Pentagon was established partially by pressure from the Congress to stop exactly this kind of waste and counterproductive defense spending.

I regret that the conference compromise has added \$45.9 million in expenditures for the production of the 155 mm. binary artillery shell when the House bill has basically zeroed out the fiscal year 1989 production request based on sound technical and policy objections. The compelling argument against the expenditure of this \$45.9 million is that if and when the binary chemical artillery shells are produced they cannot be based in Europe where they are needed because our allies will not accept them. We already have a chemical deterrent in Europe. We should not unilaterally withdraw that capability and replace it with nothing as is currently being pursued by the executive branch.

I continue to have grave reservations about the advisability of the entire binary chemical weapons program. My concern focuses primarily on the current potential for significant movement in the arms control area on chemical weapons. For example, the multilateral negotiations in Geneva continue to register progress; the Soviets have announced a moratorium on their production of chemical weapons; the Soviets have made important concessions on inspection and verification of a chemical arms agreement; and finally, other countries threaten future use of chemical weapons as graphically demonstrated in the Iran-Iraq war. We should not trade an arms control opportunity for launching a new production program of binary chemical weapons that do not work and that cannot serve as a deterrent as long as they are based in the United States rather than in Europe.

Our efforts should be directed toward the mutual elimination of chemical nerve gas weapons via arms control agreement with the Soviets as opposed to the Defense Department's persistence in encouraging the United States to produce a new generation of unproven, costly, and counterproductive nerve gas weapons. Accordingly, it is gratifying to note that the conference language explicitly prohibits the production of the Bigeye binary chemical bomb.

Mr. BROOMFIELD. Mr. Speaker, I would like to express my strong support for the statement made by my friend and colleague, the chairman of the Committee on Foreign Affairs, DANTE FASCELL. As the ranking Republican on the Committee on Foreign Affairs, I share his view that the newly established On-Site Inspection Agency is an extremely important Arms Control Agency. As such, the Committee on Foreign Affairs will be exercising its oversight over this Arms Control Agency in the coming years.

The OSIA language included in the DOD conference report which we are presently considering will require that OSIA's funding be listed as a separate DOD budget activity. This will allow the Foreign Affairs Committee to ex-

ercise its jurisdiction over OSIA as an individual referral to our committee, as opposed to the present situation in which we would have the right to request sequential referral of the entire DOD bill. Obviously none of us desire this and therefore the approach embodied in the conference report will allow the Foreign Affairs Committee to exercise its oversight over this agency, as we presently do over several other DOD run operations, without bogging down the entire DOD authorization bill.

I would like to thank my colleagues on the Armed Services Committee for their cooperation on this matter.

Mr. PANETTA. Mr. Speaker, I rise today in support of the Defense Conference Agreement. I would like to commend the conferees for the outstanding work they performed in reaching an agreement authorizing \$299.6 billion for defense, consistent with last November's budget summit agreement and the fiscal year 1989 budget resolution. I am particularly grateful for the excellent work of the distinguished chairperson of the Military Personnel and Compensation Subcommittee, Mrs. BYRON, for her leadership in shepherding legislation I introduced earlier this year, H.R. 3975, which directs the Secretary of Defense to establish a permanent rental housing program involving military personnel and their civilian landlords. This program will remove perhaps the largest financial burden on our military families.

This legislation will make permanent the pilot program which has been in effect at Fort Ord over the last 15 months. The program has been implemented with a high degree of success resulting in the solution of problems with military residents with respect to payment and landlords obtaining guarantees on security deposit payments.

Although the Senate Defense Authorization measure did not contain a similar provision, H.R. 4264's housing lease indemnity program was adopted by the Senate with two amendments. I support both amendments; the first amendment clarifies the due process provisions of the program regarding each participating service member's obligation before reducing that member's pay for breach of the lease or damage to the rental unit and the other amendment outlines the extension of this program to our service member's overseas.

I would like to take a few minutes to describe what this legislation will do. First of all, it authorizes the Secretary of Defense to make the program permanent. Each military service would then have the option of whether, and at which installations, to institute participation in this program in the United States. Second, civilian landlords who rent to military personnel would agree to waive security deposits when renting housing units to military personnel for the guarantee of rental deposit security from the military.

In return, the military post would agree that if for any reason the service member leaves without making final payments for rent or damage, the post would make such final payments. These payments could not exceed the amount of an ordinarily required security deposit. Any outlays of the military post would

then be deducted from the service member's paycheck.

For example, a service member wants to rent an apartment for \$500 per month. Under this legislation, the landlord would agree to accept only a first month's rent without any required security deposit or last month's rent. Right away, we are saving the service member up to \$1,000. If the service member is transferred to another post or is assigned to on-post housing and leaves his apartment without paying his last month's rent, the post to which he is assigned would meet the last month's rent payment of \$500. This \$500 would then be deducted from the service member's paycheck.

All of my colleagues are aware of the tremendous financial and emotional pressures inflicted on our military personnel and their families. This already tense situation is made even worse during a permanent change of station move. Travel and relocation expenses come out of the pockets of our servicemen and women. Reimbursement comes later, although in the past only \$1 out of \$4 spent on a PCS move has been reimbursed according to an Air Force study. And when the military families arrive in a new location, they must meet the immediate costs of security deposits, first and last month's rent, utility deposits and more. Before you can even blink, a military family can be thousands of dollars in debt. And 2 years later, the entire process is repeated.

It is important to note that no appropriation of funds is necessary because the service member would be ultimately responsible for meeting the costs of any damage or breach of lease.

I know that the landlords on the Monterey Peninsula have benefited from the pilot program. The favorable comments from the civilian landlords show that the vacancy rate has dropped considerably in their particular apartment complexes since participating in the program. Also, a housing referral office representative available when requested during move-out inspections provided the verification necessary to resolve any disputes or misunderstandings that arose at that time.

They realize the hardships imposed on the military family and they understand the program guarantees payment for damages and breach of lease, up to the amount of the usual security deposit. This program gives landlords one point of contact for all their military tenants and a source of information regarding military personnel who may soon be transferred, thus enabling landlords to prepare for a change in the lease.

Soldiers have been very happy with the program because without it, they could not afford a place to live and would therefore be forced to live apart from their families until on-post housing became available. The program has also kept soldiers from getting into serious financial difficulties which is often associated with a PCS move.

This program should solve one of the major problems facing our military personnel, and do away with certainly one of their largest financial burdens. What is more, no one loses in this program; everyone wins. Landlords are guaranteed payment, our military personnel are able to use their hard-earned dollars for



necessities, and the services are guaranteed reimbursement for any outlays to landlords.

When the House voted in the 99th Congress to accept many proposals to ease the burdens on our military personnel, servicemen and women all over the world breathed a sigh of relief. Now this legislation will resolve one of the most pressing and financially disabling issues by making permanent this highly successful pilot program permanent so that one day our military men and women will not look on military service as a financially crippling experience. Again, I want to thank the conferees for their excellent work on reaching this conference agreement and express my appreciation to Subcommittee Chairperson BYRON for her excellent work in implementing this legislation.

Mr. ROTH. Mr. Speaker, for several years now, many of my colleagues have joined me on this floor to condemn the brutal actions of the Ethiopian Government. So outrageous were the human rights abuses of Col. Mengistu Haile Mariam, that many in this body were at first incredulous.

But today there is no debate over the fact that Ethiopia's human rights record is deplorable. It is tragically the worst violator of human freedoms and individual liberties in the world.

The regime's blatant disregard for human life was most recently demonstrated in its April expulsion of Western famine relief workers in the north. Condemned unanimously by Western donor countries, the expulsion put 2 to 3 million people at immediate risk of starvation. As President Reagan said:

[The expulsion] leads us to the horrible conclusion that starvation and scorched earth are being considered as weapons to defeat the rebellion.

Courageous cross-border relief efforts may save these lives. Unfortunately, with only limited access, we may never know the extent of Mengistu's attempted massacre.

Clearly, however, Congress is of one mind on this issue. That is why in the conference report before us today, we have included the Roth-Helms amendment condemning the Ethiopian Government (section 1310).

Across the political spectrum, from Members on the far left to Members on the far right, we condemn the brutality of the Mengistu regime and strongly urge and authorize the President to impose sanctions. If there was ever a question as to whether or not Congress would support punitive measures against the Mengistu regime, the answer is provided in the passage today of the Roth-Helms amendment.

On May 3, the House Foreign Affairs Committee unanimously approved House Joint Resolution 562, a measure cosponsored by 23 members of the committee. The operative language of that resolution was introduced in the Senate by Mr. HELMS as an amendment to the DOD authorization bill.

The amendment condemns the Government of Ethiopia for its blatant disregard for human life, its forced resettlement program, and its human rights record. Sanctions are authorized and strongly urged to be used if the Government engages in any of the following actions: First, forced resettlement; second, forced confinement in any resettlement camp; third, diversion of international relief to the military;

fourth, denial of international relief to any persons at risk of famine; fifth, seizure of U.S. relief assets; or sixth, denial of capability to monitor food distribution.

Let it be very clear that Congress strongly opposes the practice of forced resettlement. During the 1984-85 famine, some 600,000 persons were forcibly removed from their homelands under grossly inhumane conditions. The well-respected relief group, Doctors Without Borders, estimates that some 100,000 men, women, and children died as a result of the Government's resettlement program. Still today, tens of thousands of children who were torn away from their parents have not been reunited with their families. Most will continue to live their lives as orphans.

Let it be clear that Congress has not forgotten these children, nor the 600,000 who remain involuntarily in resettlement camps guarded by government armed troops.

Let it be clear that Congress strongly opposes the use of food as a weapon. Food relief should not be denied to any person, regardless of the circumstances. To risk the lives of innocent men, women, and children caught in the cross-fire of armed conflict is uncivilized and irresponsible behavior. Cold-blooded neglect of millions of lives is an affront to basic human decency. Access to roads and airways should be returned immediately to the international relief community. There are brave men and women willing to risk their lives in a war zone to feed the hungry.

Let it be clear that Congress has not forgotten the Ethiopian people. We must speak for those whose muffled voices cannot be heard. Today, Congress is speaking out with one voice. Let the message be heard.

Mr. WOLPE. Mr. Speaker, I rise in support of this conference report, and consent to draw particular attention to section 949 of the defense authorization bill, "Economic Sanctions Against the Communist Regime in Ethiopia." This provision, introduced as an amendment by Senator HELMS, is drawn from a resolution originally introduced by my colleague, Congressman TOBY ROTH, which was approved with unanimous bipartisan support by the House Foreign Affairs Committee on May 3.

It is essential and timely that Congress apply pressure of this kind upon the Mengistu regime and the northern insurgents in Ethiopia. In their escalating war with one another, the Ethiopian Government and the rebels in Tigray and Eritrea have each judged, tragically, that battlefield success is a priority that supercedes the emergency famine needs of over 3 million northern Ethiopians. As a result, the flow of food into the north has slowed to a trickle: the lives of hundreds of thousands of Ethiopians—perhaps more than 1 million—are now at stake.

This is an appalling, confusing and wrenching situation. We in Congress and the international community are struggling with how best to preserve lives in Ethiopia and how best to communicate to the Ethiopian Government and to the rebels in the north our outrage at their callous disregard for human life.

Section 929 fills a portion of this need by: condemning the Ethiopian Government's human rights record; appealing to it and the northern rebels to facilitate the resumption of

the international relief campaign in the north; urging the Reagan administration to pursue diverse diplomatic and multilateral strategies, including discussions with the Soviets, to make it possible to reach all northerners at risk of famine; and finally, authorizing and urging the President to impose economic sanctions upon Ethiopia if in the future that Government engages in any of several specific outrages.

I wish to commend Members of the House from both sides of the aisle for keeping the issues of famine before Congress and for the bipartisan cooperation that has resulted in section 929. Beginning last fall, the House Foreign Affairs Subcommittee on Africa and the Subcommittee on Human Rights and International Organizations held a series of hearings on Ethiopia. The most recent hearing took place on April 21. Especially important to the success of these hearings were the contributions of Congressman DAN BURTON, ranking minority member of the African Subcommittee, Congressman TOBY ROTH, and Congressman GERRY SOLOMON, ranking minority of the Human Rights and International Organizations Subcommittee. I also wish to emphasize the importance of the active interest in Ethiopia of Congressman MICKEY LELAND, chairman of the Select Committee on Hunger, and Congressman TONY HALL and GARY ACKERMAN, members of the Hunger Committee. On March 10, the Africa Subcommittee had the pleasure of working jointly with the Hunger Committee in reviewing the deteriorating situation in northern Ethiopia. Finally, the cooperation of Congressman DON BONKER, chairman of the House Foreign Affairs Subcommittee on International Economic Policy and Trade, was essential in crafting the resolution that passed the Foreign Affairs Committee in early May.

Mr. HAWKINS. Mr. Speaker, as you know, during consideration of the fiscal year 1989 DOD authorization bill (H.R. 4264) the House adopted an amendment which was in effect the Davis-Bacon reform bill (H.R. 2216) reported by the Committee on Education and Labor. Because those provisions were deleted in conference, I would like to provide a brief legislative history.

At the time the Rules Committee was preparing to develop a rule for consideration of the DOD bill, I learned that several Members would seek to have made in order amendments to the Davis-Bacon prevailing wage provisions of the DOD Authorization Act. I prevailed upon the Rules Committee that if one or several such amendments were made in order, then there should also be made in order an amendment in the form of the Davis-Bacon reform bill, H.R. 2216, which had been reported from the Committee on Education and Labor on February 9, 1988. In my request, however, I made it clear that seeking to participate in the amending process within the context of the DOD authorization was not an abrogation of the committee's long-held contention that such an exercise would be in violation of the House rules on germaneness and committee jurisdiction. The only reason for agreeing to engage in the amendment process was to avoid delaying consideration of the vital national defense bill.

My reasons for asking for equal consideration of the Committee Davis-Bacon reform

bill provisions, as contained in H.R. 2216 as reported, were twofold. First, the committee bill represents a commitment made by myself and the chairman of the Subcommittee on Labor Standards to develop and report a reform bill from the committee of original jurisdiction. That commitment grew out of previous attempts to by pass the committee and attach amendments to DOD authorization bills in past Congresses. The last attempt in the 99th Congress was thwarted when the House adopted a substitute amendment which formed the basis for the comprehensive reform bill, H.R. 2216, reported by the Committee on Education and Labor this year.

Second, and equally important, I want to protect against future attempts to nullify the rules of the House in order to override the jurisdiction of the Committee on Education and Labor.

After passage of the DOD authorization bill in the House and the Senate, certain members of the Committee on Education and Labor were appointed as exclusive conferees on the Davis-Bacon prevailing wage provisions, the committee reform bill, which was contained in the House-passed DOD bill. There was no comparable provision in the Senate-passed bill.

Throughout the conference, the Senate conferees would not agree to conference the issues. They insisted, as has been the position of the Committee on Education and Labor, that the amendment should not be considered in the context of the DOD bill. Finally, a commitment was made by the chairman and ranking Republican member of the Senate Armed Services Committee, and the member of the committee who most often raises the Davis-Bacon issue within the context of the DOD authorization. They pledged not to bring up such an amendment in either the fiscal year 1990 or fiscal year 1991 DOD authorization, and to discourage others from doing so. That commitment is contained in a signed memorandum. Thereupon the House conferees receded.

I hope that the action on the part of the Senate conferees will be emulated by the Members of the House, who in the past have so diligently pursued an agenda of attaching Davis-Bacon amendments to nongermane legislation which is outside the purview of the committee of original jurisdiction of the Davis-Bacon Act and other important labor laws. It serves no useful purpose to engage in these annual skirmishes which always consume valuable time and result in stalemates.

Mr. FRENZEL, Mr. Speaker, I shall vote against H.R. 4264.

The tiny portion of the bill over which the Ways and Means Committee had jurisdiction was resolved satisfactorily so I signed the report as a satisfied conferee.

However, I have never been satisfied with the gross outlay level established in the 1987 summit and faithfully executed in H.R. 4264.

Specifically, I am not enthusiastic about the level of SDI funding which is up sharply from the original House bill. I do not wish to split hairs on authorization bills, but I will be even more critical on the appropriation bill.

The arms control limitations even those which I supported have certainly become less important since the ratification of the INF

Treaty. It would not have hurt the bill to drop those items.

Overall, I find the bill excessively expensive.

Mr. STARK. Mr. Speaker, I thank the committee for their excellent work in perfecting the language in section 2821, providing for a land exchange in Alameda County, CA.

This conveyance, which will be used to provide a BART station and ample parking for Livermore Valley commuters, is extremely important for the future transportation needs of the valley. For once, we are planning ahead to provide enough mass transit parking to satisfy the needs of one of the fastest-growing regions of the Nation.

BART's major problem is that it doesn't have enough daily riders to cover its cost. One reason that it does not have enough riders is that there is not enough convenient parking around its stations. This land conveyance will ensure that as BART expands into the Livermore Valley, we will have in place—at last—enough land to meet the needs of commuters.

Mr. WEISS. Mr. Speaker, I rise in opposition to this report, and I want to express my profound disappointment that the bill we have before us today is even worse than the one the House passed over my objection earlier this year.

The House version of H.R. 4264 was unacceptable for a number of reasons. It allowed for continued funding of the unjustifiable Star Wars Program and the dangerous and destabilizing Trident II submarine-based missile, and failed to provide for a continued moratorium on the testing of antisatellite weapons.

In addition, I am opposed to additional funding for the wasteful and purposeless Strategic Homeporting Program. Especially troubling was the authorization of \$38.3 million for construction of a homeport in New York Harbor. I have long been an opponent of the homeport program, which former Senator Barry Goldwater called one of the biggest political boondoggles I ever heard of.

For all of these reasons, I could not support the House version of the bill. However, there were provisions in the bill which would have contributed substantially to arms control had they been enacted into law, provisions which I described in this Chamber during debate on the bill's passage. It is with great disappointment that I note today that most of these provisions have been deleted from the bill by the conferees.

I must commend my colleagues for adopting the Aspin amendment to ensure continued compliance with the traditional, or narrow, interpretation of the Antiballistic Missile [ABM] Treaty. This will help to prevent a destabilizing race for defensive arms in space, and will help to save the ABM Treaty, which the Reagan administration has continuously tried to undermine.

I am also pleased that we have taken an important step toward a Comprehensive Nuclear Test Ban Treaty by agreeing to require the Department of Energy to prepare a readiness program by which the United States can be confident in the reliability of its nuclear deterrent without engaging in banned nuclear testing. Funds for the seismic verification program will also help us remove remaining bar-

riers to such a treaty, and I applaud the inclusion of these funds in the bill.

On every other issue, however, this bill is worse than the one we debated earlier this year. Once again, the conferees eliminated the Dicks amendment to the House bill which would have ensured continued compliance with the numerical sublimits of the SALT II Treaty. The Soviet Union continues to abide by the sublimits of the treaty, but the United States has violated these core provisions, despite the fact that it is the Soviet Union which stands to gain the most from the abandonment of SALT II. The Dicks amendment, however, was eliminated by the conferees. The administration will therefore be allowed to continue to violate SALT II, provoke the arms race, and endanger our national security.

The House bill also provided for a limited nuclear test ban, so long as the Soviet Union abides by the same ban. This ban, which would have affected all but the smallest nuclear test explosions, would have contributed greatly to current efforts to prevent the spread of nuclear weapons. In addition, such a moratorium might have enabled us to conclude negotiations on a Comprehensive Test Ban Treaty. Unfortunately, the conferees rejected this provision as well.

I was also pleased that the House bill finally resolved the debate between funding of the MX and Midgetman missiles in favor of the Midgetman. While there are drawbacks to the Midgetman, it is clearly to be preferred to the far more dangerous and destabilizing MX. As I have said many times, it is in the interest of the United States to move away from first strike weapons like the MX that are vulnerable to attack, carry multiple warheads, and are capable of destroying hardened targets.

By contrast, the Midgetman missile is highly mobile and will carry only one warhead. For these reasons, it will contribute to stability while also acting as a credible deterrent. Yet, the conferees reversed the House decision and left the Midgetman-MX debate unresolved. While I am pleased that they rejected the Reagan administration's request to eliminate the Midgetman in favor of the MX, I am disappointed that we will waste another \$250 million on this destabilizing weapon before the next President can finally eliminate it.

Also disappointing was the conferees' decision to add more funding for chemical weapons, for which the House bill authorized no money. The Soviet Union has recently been more open to discussion of an agreement banning these dangerous and unnecessary weapons. In addition, there are numerous technical problems with our chemical weapons which have resulted in immense waste. Chemical weapons should not be funded, and I disapprove of the conferees' decision.

Finally, the conferees' bill contains additional money for the Star Wars Program, which was already overfunded in the House bill. As the evidence mounts that star wars will never protect the Nation from nuclear attack, the administration has shifted its policy to favor quick deployment of a partial defense against nuclear missiles. However, such a defense would violate the ABM Treaty, cost the taxpayers billions of dollars, and be easy for the Soviets to overwhelm. If we are looking for a



way to deter a Soviet first strike against our land-based forces, we have a far better and cheaper solution in the Midgetman.

Mr. Speaker, I support a strong and adequate defense of the United States of America. However, too many of the policies and programs authorized in this legislation endanger rather than defend our national security interests. Indeed, they threaten to add fuel to the nuclear arms race and ignite a nuclear conflict. Moreover, they threaten to bankrupt our Government and seriously damage our economy. For these reasons, Mr. Speaker, I cannot justify an affirmative vote on this conference report.

It is my hope that under our next administration, we will build upon the achievements begun in recent years and bring a new realism to the debate over our Nation's defense. I am ready and willing to participate in the crafting of a sensible defense policy, and I look forward to that task with great anticipation.

Mr. ASPIN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MURTHA). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DICKINSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 229, nays 183, not voting 19, as follows:

#### [Roll No. 233]

#### YEAS—229

Ackerman	Clement	Florio
Akaka	Coelho	Foglietta
Alexander	Coleman (TX)	Foley
Andrews	Conte	Ford (MI)
Annunzio	Conyers	Ford (TN)
Anthony	Cooper	Frank
Applegate	Coyne	Gaydos
Aspin	Darden	Gejdenson
Atkins	de la Garza	Gephardt
AuCoin	Derrick	Gibbons
Bennett	Dicks	Glickman
Berman	Dingell	Gonzalez
Bevill	DioGuardi	Grant
Bilbray	Dixon	Green
Boggs	Donnelly	Guarini
Boland	Dorgan (ND)	Hall (OH)
Bonior	Dowdy	Hamilton
Bonker	Downey	Harris
Borski	Durbin	Hatcher
Boucher	Dwyer	Hawkins
Brennan	Dyson	Hefner
Brooks	Early	Hertel
Brown (CA)	English	Hochbrueckner
Bruce	Erdreich	Horton
Bryant	Espy	Houghton
Bustamante	Evans	Hoyer
Byron	Fascell	Huckaby
Campbell	Fazio	Hughes
Cardin	Feighan	Hutto
Carper	Fish	Jacobs
Chapman	Flake	Jeffords
Clarke	Flippo	Jenkins

Jones (NC)	Murtha	Sharp
Jones (TN)	Nagle	Sikorski
Jontz	Natcher	Siskisky
Kanjorski	Neal	Skaggs
Kaptur	Nelson	Skeen
Kennedy	Nichols	Skellton
Kennelly	Nowak	Slaterry
Kildee	Oakar	Slaughter (NY)
Kleczka	Olin	Smith (FL)
Kolter	Ortiz	Smith (IA)
Konnyu	Owens (UT)	Smith (NJ)
Kostmayer	Panetta	Snowe
LaFalce	Patterson	Solarz
Lancaster	Payne	Spratt
Lantos	Pease	St Germain
Leath (TX)	Penny	Staggers
Lehman (CA)	Pepper	Stallings
Lehman (FL)	Perkins	Stallholm
Levin (MI)	Pickle	Stratton
Levine (CA)	Porter	Swift
Lewis (GA)	Price	Synar
Lipinski	Pursell	Tallon
Lloyd	Quillen	Tauzin
Lott	Rahall	Thomas (GA)
Lowry (WA)	Ravenel	Torres
Luken, Thomas	Ray	Torricelli
Manton	Richardson	Traficant
Markey	Ridge	Traxler
Marlenee	Rinaldo	Udall
Martinez	Robinson	Valentine
Matsui	Rodino	Vento
Mavroules	Roe	Visclosky
Mazzoli	Rose	Volkmer
McCloskey	Rostenkowski	Walgren
McCurdy	Roth	Watkins
McHugh	Roukema	Waxman
McMillen (MD)	Rowland (GA)	Whitten
Mineta	Russo	Williams
Moakley	Sabo	Wilson
Mollohan	Saiki	Wise
Montgomery	Sawyer	Wolpe
Morella	Scheuer	Yates
Morrison (CT)	Schneider	Yatron
Mrazek	Schroeder	
Murphy	Schumer	

#### NAYS—183

Archer	Dymally	Lowery (CA)
Army	Eckart	Lujan
Badham	Edwards (CA)	Lukens, Donald
Baker	Edwards (OK)	Lungren
Ballenger	Emerson	Mack
Bartlett	Fawell	Madigan
Barton	Fields	Martin (NY)
Bateman	Frenzel	McCandless
Bates	Gallegly	McCollum
Beilenson	Gallo	McCrery
Bentley	Garcia	McDade
Bereuter	Gekas	McEwen
Bilirakis	Gilman	McGrath
Billie	Goodling	McMillan (NC)
Boehlert	Gradison	Meyers
Boulter	Grandy	Mfume
Boxer	Gunderson	Michel
Broomfield	Hall (TX)	Miller (CA)
Brown (CO)	Hammerschmidt	Miller (OH)
Buechner	Hansen	Miller (WA)
Bunning	Hastert	Molinar
Burton	Hayes (IL)	Moody
Callahan	Hefley	Moorhead
Chandler	Henry	Morrison (WA)
Chappell	Herger	Myers
Clay	Hiler	Nielson
Clinger	Holloway	Oberstar
Coats	Hopkins	Obey
Coble	Hubbard	Owens (NY)
Coleman (MO)	Hunter	Oxley
Collins	Hyde	Packard
Combest	Inhofe	Parris
Coughlin	Ireland	Pashayan
Courter	Johnson (CT)	Pelosi
Craig	Johnson (SD)	Petri
Crane	Kasich	Rangel
Crockett	Kastenmeier	Regula
Dannemeyer	Kemp	Rhodes
Daub	Kolbe	Ritter
Davis (IL)	Kyl	Roberts
Davis (MI)	Lagomarsino	Rogers
DeFazio	Latta	Rowland (CT)
DeLay	Leland	Roybal
Dellums	Lent	Savage
DeWine	Lewis (CA)	Saxton
Dickinson	Lewis (FL)	Schaefer
Dornan (CA)	Lightfoot	Schuetz
Dreier	Livingston	Schulze

Sensenbrenner	Solomon	Vander Jagt
Shaw	Stangeland	Vucanovich
Shays	Stark	Walker
Shumway	Stokes	Weber
Shuster	Studds	Weiss
Slaughter (VA)	Stump	Weldon
Smith (NE)	Sundquist	Wheat
Smith (TX)	Sweeney	Whittaker
Smith, Denny	Swindall	Wolf
(OR)	Tauke	Wortley
Smith, Robert	Taylor	Wyden
(NH)	Thomas (CA)	Wylie
Smith, Robert	Towns	Young (AK)
(OR)	Upton	Young (FL)

#### NOT VOTING—19

Anderson	Gingrich	MacKay
Barnard	Gordon	Martin (IL)
Biaggi	Gray (IL)	Mica
Bosco	Gray (PA)	Pickett
Carr	Gregg	Spence
Cheney	Hayes (LA)	
Frost	Leach (IA)	

#### □ 1227

The Clerk announced the following pairs:

On this vote:

Mr. BARNARD for, with Mrs. MARTIN of Illinois against.

Messrs. RANGEL, BOEHLERT, GRANDY, JOHNSON of South Dakota, MOODY, SCHAEFER, COUGHLIN, CHAPPELL, and LELAND changed their vote from "yea" to "nay."

Mr. RIDGE changed his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### DIRECTING THE CLERK TO MAKE TECHNICAL CORRECTIONS IN ENROLLMENT OF H.R. 4264, NATIONAL DEFENSE AUTHORIZATION ACT, FISCAL YEAR 1989

Mr. ASPIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 338) directing the Clerk of the House of Representatives to make technical corrections in the enrollment of the bill H.R. 4264.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Wisconsin?

#### □ 1230

Mr. DICKINSON. Mr. Speaker, reserving the right to object, I take this time simply to point out that my understanding is that this is to provide for no more than technical corrections. My understanding is that it has no substantive value.

Mr. ASPIN. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Wisconsin, the committee chairman.

Mr. ASPIN. Mr. Speaker, the gentleman is correct. The concurrent resolution is designed to correct the enrollment of H.R. 4264. It contains technical and clerical corrections to the conference report filed last Thursday. It has no substantive changes.

Mr. DICKINSON. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the concurrent resolution, as follows:

#### H. CON. RES. 338

*Resolved by the House of Representatives (the Senate concurring).* That, in the enrollment of the bill (H.R. 4264) to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

(1) In the table of contents in section 3—  
(A) in the item relating to section 525, strike out "cost";

(B) in the item relating to section 701, strike out "Assistant Secretary of Defense for Command, Control, and Communications" and insert in lieu thereof "Authority to establish position of Assistant Secretary of Defense for Intelligence";

(C) in the item relating to section 1002, strike out "NATO" and insert in lieu thereof "North Atlantic Treaty Organization";

(D) in the item relating to title XI, insert "AND LAW ENFORCEMENT SUPPORT" at the end;

(E) in the item relating to section 1107, strike out "Report on needed legislation" and insert in lieu thereof "Reports";

(F) in the item relating to section 1213, insert "appropriations" after "of certain";

(G) in the item relating to section 1222, strike out "of" and insert in lieu thereof "a";

(H) in the item relating to section 1225, insert "for overhaul of naval vessels" after "shipyards";

(I) in the item relating to section 1227, insert "plans" after "shipbuilding";

(J) in the item relating to section 1307, strike out "arms" and insert in lieu thereof "defense articles";

(K) in the item relating to section 2404, strike out "Afcen" and insert in lieu thereof "AFCENT"; and

(L) in the item relating to section 2407, strike out "defense agencies" and insert in lieu thereof "Defense Agencies".

(2) In section 111(b)(2), strike out "five-year defense plan" and insert in lieu thereof "Five-Year Defense Program".

(3) In section 303—  
(A) insert "means" in subsection (d) before "available."; and

(B) strike out "appropriations Act" in subsection (e) and insert in lieu thereof "appropriation Acts".

(4) In section 305(b)—  
(A) insert "and" at the end of paragraph (1)(A); and

(B) strike out "on the" in paragraph (2) and insert in lieu thereof "on a".

(5) In section 322(b), strike out "paragraph (1)" and insert in lieu thereof "subsection (a)".

(6) In section 324(a), strike out "(1)" after "AUTHORITY.—".

(7) In section 327(b), strike out "Five Year Defense Plan" in paragraph (1) and insert in lieu thereof "Five-Year Defense Program".

(8) In section 2467(b)(1)(B) of title 10, United States Code, as added by section 331(a), strike out "the" after "relating to".

(9) In section 2892(c)(2) of title 10, United States Code, as added by section 342(a)(1), strike out "reason" and insert in lieu thereof "reasons".

(10) In section 2722(c) of title 10, United States Code, as added by section 344(a)—

(A) in paragraph (1), strike out "materials" and insert in lieu thereof "material"; and

(B) in paragraph (2), strike out "same meanings as provided in" and insert in lieu thereof "meanings given those terms by".

(11) In section 411(a), insert a period at the end of paragraph (3).

(12) In section 512(b), redesignate clauses (A) and (B) as clauses (1) and (2), respectively.

(13) In section 521(a)(2), insert a period after "entrants" in the quoted material.

(14) In section 703—

(A) redesignate subsection (b) as subsection (c); and

(B) insert after subsection (a) the following:

(b) PAY GRADE.—Notwithstanding section 5316 of title 5, United States Code, the General Counsel of each of the military departments shall be paid at the highest rate of basic pay payable under section 5382 of title 5, United States Code, to a member of the Senior Executive Service.

(15) In section 712, strike out the period at the end of paragraph (4) and insert in lieu thereof a semicolon.

(16) In section 2330 of title 10, United States Code, as added by section 801(a)—

(A) strike out the section heading and insert in lieu thereof the following:

"§2330. Integrated financing policy";

(B) in subsection (a)—

(i) insert "(1)" after "PLAN.—"; and

(ii) strike out "subsection (d)" and insert in lieu thereof "paragraph (2)";

(C) designate the sentence beginning "In developing" as subsection (b) and in that sentence—

(i) insert "MATTERS TO TAKE INTO CONSIDERATION.—" before "In developing"; and

(ii) insert "under subsection (a)" after "the plan";

(D) insert at the end of subsection (a) the following:

"(2) This section applies to the following policies applicable to Department of Defense contracts:

"(A) Policies relating to progress payments or other financing by the Department of Defense under such contracts.

"(B) Policies relating to the return on contractor investment under such contracts.

"(C) Policies relating to the allocation of contract risk between the Department of Defense and a contractor.";

(E) strike out subsection (d) and redesignate the second subsection (b) and subsection (c) as subsections (c) and (d), respectively;

(F) in subsections (b)(1), (c), and (d) (as so redesignated), strike out "five-year defense program" and insert in lieu thereof "Five-Year Defense Program"; and

(G) in the second sentence of subsection (d) (as so redesignated), strike out "current negotiated contracts" and insert in lieu thereof "contracts negotiated during the preceding fiscal year".

(17) In section 801(a)(2), strike out "contract" in the quoted matter in that section and all that follows through "risk-sharing" and insert in lieu thereof "financing".

(18) In section 803—

(A) in paragraph (2), strike out "by striking" and all that follows through the semicolon and insert in lieu thereof "by inserting 'or in the case of the Under Secretary of Defense for Acquisition, acting in his capacity as the senior procurement executive for the Department of Defense, the Under Secretary's delegate designated pursuant to paragraph (6)(B)' after '(without further delegation)';"; and

(B) in paragraph (6)(B) of section 2304(f) of title 10, United States Code, as added by paragraph (3)—

(i) strike out "senior procurement executive of an agency" and insert in lieu thereof "Under Secretary of Defense for Acquisition"; and

(ii) insert ", other than a military department," in clause (ii) after "title".

(19) In the matter inserted by section 805(a)(2), strike out "on second sources".

(20) In section 2305(d)(4)(B) of title 10, United States Code, as added by section 806(a)(1)—

(A) strike out "the responses to solicitations" and insert in lieu thereof "offers in response to a solicitation"; and

(B) strike out "life cycle" and insert in lieu thereof "life-cycle".

(21) In section 806(b), strike out "such section" and all that follows through the period and insert in lieu thereof "section 2305(d) of such title are each amended by striking out 'The proposals' and all that follows through 'contract are' and inserting in lieu thereof 'Proposals referred to in the first sentence of subparagraph (A) are'.".

(22) In section 807(a)(2)(A), strike out "a firm fixed-price contract" and all that follows through "a major system" and insert in lieu thereof the following: "if a contract for development of a major system is to be awarded in an amount greater than \$10,000,000, the contract may not be a firm fixed-price contract."

(23) At the end of the table of sections at the beginning of chapter 148 of title 10, United States Code, as amended by section 821(b)(1)(B), insert the following:

"2504. Defense memoranda of understanding.

"2505. Offset policy; notification.

"2506. Limitation on the use of funds: procurement of goods which are other than American goods.

"2507. Miscellaneous procurement limitations."

(24) In section 2502 of title 10, United States Code, as added by section 821(b)(1)—

(A) in subsection (a)—

(i) insert "Secretary of Defense, acting through the" after "The" in the matter preceding paragraph (1);

(ii) insert a comma after "Acquisition" in the matter preceding paragraph (1);

(iii) insert a comma after "program" the first place it appears in paragraph (1); and

(iv) strike out "life cycle" in paragraph (4) and insert in lieu thereof "life-cycle";

(B) in subsection (c)(1)—

(i) insert "Secretary of Defense, acting through the" after "The" in the matter preceding subparagraph (A);



(ii) insert a comma after "Acquisition" in the matter preceding subparagraph (A); and  
(iii) strike out "program requirements" in subparagraph (A) and insert in lieu thereof "requirements for that program"; and

(C) in subsection (c)(2), strike out "industries producing in the United States and Canada" and insert in lieu thereof "firms engaged in production in the United States or Canada".

(25) In section 2503 of title 10, United States Code, as added by section 821(b)(1)—  
(A) strike out "The defense industrial base office" and insert in lieu thereof "Such an office";

(B) in paragraph (2), strike out "utilization" and insert in lieu thereof "use"; and

(C) in paragraph (3), strike out "such Defense Acquisition Regulations and" and insert in lieu thereof "the regulations of the Department of Defense prescribed as part of the Federal Acquisition Regulation (the single system of Government-wide procurement regulation as defined in section 4(4) of the Office of Federal Procurement Policy Act) and such".

(26) In section 821(c)—

(A) insert "the Secretary of" before "each military department"; and

(B) strike out "these programs" and insert in lieu thereof "each such program".

(27) In section 2507(d)(3) of title 10, United States Code, as added by section 822(a)—

(A) strike out "determines that—" and insert in lieu thereof "determines that any of the following apply with respect to that item";

(B) strike out "the" at the beginning of each of subparagraphs (A), (D), (E) and (F) and insert in lieu thereof "The";

(C) strike out "satisfactory" at the beginning of subparagraph (C) and insert in lieu thereof "Satisfactory";

(D) strike out the semicolon at the end of each of subparagraphs (A), (B), (C), and (D) and insert in lieu thereof a period; and

(E) strike out "or" at the end of subparagraph (E) and insert in lieu thereof a period.

(28) In section 822—

(A) strike out "(a) IN GENERAL.—";

(B) strike out the close quotation marks and the period immediately after the close quotation marks;

(C) strike out "(b)" and all that follows through "subsection (a)," and insert in lieu thereof "(4) The provisions of this section"; and

(D) add close quotation marks and a period at the end.

(29) In section 2368(b) of title 10, United States Code, as added by section 823(a)—

(A) insert "beginning in the year" in paragraph (3) before "in which the plan is submitted"; and

(B) strike out "relative" in paragraph (4).

(30) In section 824—

(A) strike out "(a) IN GENERAL.—";

(B) strike out "adding" and insert in lieu thereof "inserting";

(C) strike out subsection (b); and

(D) in section 2504 of title 10, United States Code, as added by such section, strike out "Department of Defense" and insert in lieu thereof "Secretary of Defense, acting on behalf of the United States,".

(31) In section 825—

(A) in subsection (a)(4), strike out "utilizing" and insert in lieu thereof "using";

(B) in subsection (b)—

(i) strike out "(1)";

(ii) strike out "adding" and insert in lieu thereof "inserting"; and

(iii) strike out paragraph (2); and

(C) in subsection (d)(4), strike out "the terms 'foreign firm' and 'United States firm' have" and insert in lieu thereof "the terms 'United States' firm' and 'foreign firm' have".

(32) In the quoted material added by section 826(a), align paragraph (5) full measure and align subparagraphs (A), (B), and (C) so as to be indented two ems.

(33) In section 832(a), insert ", as amended by section 322(a)," in paragraph (1) after "paragraph (1)".

(34) In section 842(b), strike out "TECHNICAL" and insert in lieu thereof "CLERICAL".

(35) In section 1034(a)(1) of title 10, United States Code, as added by section 846(a), strike out "armed force" and insert in lieu thereof "armed forces".

(36) In chapter 18 of title 10, United States Code, as amended by section 1104(a)—

(A) strike out "activities" in section 374(b)(2)(D) and insert in lieu thereof "programs"; and

(B) strike out "naval vessels" in section 379(a) and insert in lieu thereof "naval vessel".

(37) In section 1107(c)(1), strike out "act" and insert in lieu thereof "Act".

(38) In section 1202(1), insert "and" at the end of subparagraph (A).

(39) In section 1212(b), strike out "Anniston" in paragraph (3) and insert in lieu thereof "Anniston".

(40) In section 1221(a)—

(A) strike out the period at the end of paragraphs (2) through (5) and insert in lieu thereof a semicolon;

(B) strike out "in" after "(3)" and insert in lieu thereof "in"; and

(C) insert "and" at the end of paragraph (5).

(41) In section 1227(a), strike out "Defense Plan" and insert in lieu thereof "Defense Program".

(42) In section 1403(e)(1), insert "title I of division C of" before "Public 100-180".

(43) In section 1421(a)(1) strike out "title" and insert in lieu thereof "part".

(44) In section 1423(a)(2), strike out "(in this title referred to as the 'Secretary')".

(45) In section 1436(c)(2), strike out "become necessary" and insert in lieu thereof "becomes necessary".

(46) In section 1441(a)(1), strike out "(68 Stat. 919; 42 U.S.C. 2011 and following)" and insert in lieu thereof "(42 U.S.C. 2011 et seq.)".

(47) In chapter 21 of the Atomic Energy Act of 1954, as added by section 1441(a)—

(A) in section 311(c)(1), strike out the second sentence;

(B) in section 311(d) (2), strike out "One" in subparagraphs (A) through (E) and insert in lieu thereof "one"; and

(C) in section 318(2), strike out "96 Stat. 2201,".

(48) In section 1441(c) (1)—

(A) strike out "Facility" and insert in lieu thereof "Facilities"; and

(B) insert "in this subsection" after "(hereafter)".

(49) In sections 2103(b), 2202(a), 2203(b), and 2303(b), insert a comma after "amount shown".

(50) In sections 2203(b) and 2303(b), insert a comma after "units shown".

(51) In section 2106(a), insert "and 1989" after "1988".

(52) In section 2305, strike out "Facility" in paragraph (1) and insert in lieu thereof "facility".

(53) In section 2401(b), insert "the" before "Netherlands" in the items relating to Department of Defense dependent schools.

(54) In section 2405, insert "division B of" before "Public 99-661".

(55) In section 2813(a), redesignate subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively.

(56) In section 2814(c), insert "division B of" before "Public 99-661".

(57) In section 2817(a), insert "a" before "solicitation".

(58) In section 2818(b), insert "of the Army" after "Secretary".

(59) In section 2819(b), insert a comma after "parts of facilities" in paragraph (2).

(60) In section 2828(b), strike out "Federal government" and insert in lieu thereof "Federal Government".

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

## CONDEMNING THE GOVERNMENT OF NICARAGUA'S ANTI-DEMOCRATIC ACTIONS

Mr. BONIOR. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 498 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 498

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House without intervening motion the resolution (H. Res. 497) condemning the Government of Nicaragua's antidemocratic actions, calling for compliance with the Esquipulas II and Sapoa Accords, and urging both sides to the Nicaraguan conflict to return to negotiations. Debate on the resolution shall continue not to exceed one hour, to be equally divided and controlled by Representative Bonior of Michigan and Representative Edwards of Oklahoma. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion, except one motion to recommit, only if offered by Representative Edwards of Oklahoma.

The SPEAKER pro tempore. The question is, Will the House now consider House Resolution 498?

The question was taken.

Mr. MILLER of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 368, nays 40, not voting 23, as follows:

[Roll No. 234]

YEAS—368

Ackerman	AuCoin	Bevill
Akaka	Baker	Billbray
Alexander	Ballenger	Blirakis
Andrews	Bartlett	Bliley
Annunzio	Barton	Boehlert
Anthony	Bateman	Boggs
Applegate	Bellenson	Boland
Archer	Bennett	Bonior
Armey	Bentley	Bonker
Aspin	Bereuter	Borski
Atkins	Berman	Bosco

Boucher  
Boulter  
Brennan  
Brooks  
Broomfield  
Brown (CA)  
Brown (CO)  
Bruce  
Bryant  
Buechner  
Bunning  
Burton  
Bustamante  
Byron  
Campbell  
Cardin  
Carper  
Carr  
Chandler  
Chapman  
Chappell  
Clarke  
Clement  
Clinger  
Coats  
Coble  
Coelho  
Coleman (MO)  
Coleman (TX)  
Collins  
Combest  
Conte  
Cooper  
Coughlin  
Courter  
Coyle  
Craig  
Crane  
Dannemeyer  
Darden  
Daub  
Davis (IL)  
Davis (MI)  
de la Garza  
DeFazio  
DeLay  
Derrick  
DeWine  
Dickinson  
Dicks  
Dingell  
DioGuardi  
Dixon  
Donnelly  
Dornan (CA)  
Dowdy  
Dreier  
Durbin  
Dwyer  
Dyson  
Early  
Eckart  
Edwards (OK)  
Emerson  
English  
Erdreich  
Espy  
Fascell  
Fawell  
Fazio  
Feighan  
Fields  
Fish  
Flake  
Florio  
Foglietta  
Foley  
Ford (MI)  
Frank  
Frenzel  
Gallegly  
Gallo  
Gaydos  
Gejdenson  
Gekas  
Gephardt  
Gibbons  
Gilman  
Gingrich  
Glickman  
Goodling  
Gordon  
Gradison  
Grandy  
Grant  
Gray (PA)

Green  
Guarini  
Gunderson  
Hall (OH)  
Hall (TX)  
Hamilton  
Hammerschmidt  
Hansen  
Harris  
Hastert  
Hatcher  
Hawkins  
Hefley  
Hefner  
Henry  
Herger  
Hertel  
Hiller  
Hochbrueckner  
Holloway  
Hopkins  
Horton  
Houghton  
Hoyer  
Hubbard  
Huckaby  
Hughes  
Hunter  
Hutto  
Hyde  
Inhofe  
Ireland  
Jacobs  
Jeffords  
Jenkins  
Johnson (CT)  
Johnson (SD)  
Jones (NC)  
Jones (TN)  
Jontz  
Kanjorski  
Kaptur  
Kasich  
Kemp  
Kennedy  
Kildee  
Klecza  
Kolbe  
Kolter  
Kostmayer  
Kyl  
LaFalce  
Lagomarsino  
Lancaster  
Lantos  
Latta  
Leath (TX)  
Lehman (CA)  
Lehman (FL)  
Lent  
Levin (MI)  
Levine (CA)  
Lewis (CA)  
Lewis (FL)  
Lightfoot  
Lipinski  
Livingston  
Lloyd  
Lott  
Lowery (CA)  
Lujan  
Luken, Thomas  
Lungren  
Mack  
Madigan  
Manton  
Markey  
Marlenee  
Martin (NY)  
Martinez  
Matsui  
Mavroules  
Mazzoli  
McCandless  
McCloskey  
McCollum  
McCrery  
McCurdy  
McDade  
McEwen  
McGrath  
McHugh  
McMillan (NC)  
McMillen (MD)  
Meyers  
Mfume

Michel  
Miller (OH)  
Miller (WA)  
Moakley  
Molinari  
Mollohan  
Montgomery  
Moody  
Moorhead  
Morella  
Morrison (WA)  
Mrazek  
Murphy  
Myers  
Nagle  
Natcher  
Neal  
Nelson  
Nichols  
Nielsen  
Nowak  
Oakar  
Obey  
Olin  
Ortiz  
Owens (UT)  
Oxley  
Packard  
Pashayan  
Patterson  
Payne  
Pease  
Penny  
Pepper  
Perkins  
Petri  
Pickle  
Porter  
Price  
Pursell  
Quillen  
Rahall  
Ravenel  
Ray  
Regula  
Rhodes  
Richardson  
Ridge  
Rinaldo  
Ritter  
Roberts  
Robinson  
Rodino  
Roe  
Rogers  
Rose  
Rostenkowski  
Roth  
Roukema  
Rowland (CT)  
Russo  
Saiki  
Sawyer  
Saxton  
Schaefer  
Scheuer  
Schneider  
Schroeder  
Schuette  
Schulze  
Sensenbrenner  
Sharp  
Shaw  
Shays  
Shumway  
Shuster  
Sisisky  
Skeen  
Skelton  
Slattery  
Slaughter (NY)  
Slaughter (VA)  
Smith (FL)  
Smith (IA)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith, Denny  
(OR)  
Smith, Robert  
(NH)  
Smith, Robert  
(OR)  
Snowe  
Solarz  
Solomon

Spratt  
St Germain  
Staggers  
Stallings  
Stangeland  
Stenholm  
Stratton  
Stump  
Sundquist  
Sweeney  
Swift  
Swindall  
Synar  
Tallon  
Tauke  
Tauzin  
Taylor

Thomas (CA)  
Thomas (GA)  
Torricelli  
Traficant  
Traxler  
Udall  
Upton  
Valentine  
Vander Jagt  
Vento  
Visclosky  
Volkmer  
Vucanovich  
Walgren  
Walker  
Watkins  
Waxman

Weber  
Weldon  
Whittaker  
Whitten  
Williams  
Wilson  
Wise  
Wolf  
Wolpe  
Wortley  
Wyden  
Wyllie  
Yates  
Yatron  
Young (AK)  
Young (FL)

## NAYS—40

Bates  
Boxer  
Clay  
Conyers  
Crockett  
Dellums  
Downey  
Dymally  
Edwards (CA)  
Evans  
Ford (TN)  
Garcia  
Gonzalez  
Hayes (IL)

Kastenmeier  
Kennelly  
Leland  
Lewis (GA)  
Lowry (WA)  
Miller (CA)  
Mineta  
Morrison (CT)  
Murtha  
Oberstar  
Owens (NY)  
Panetta  
Pelosi  
Rangel

Roybal  
Sabo  
Savage  
Schumer  
Sikorski  
Stark  
Stokes  
Studds  
Torres  
Towns  
Weiss  
Wheat

## NOT VOTING—23

Anderson  
Badham  
Barnard  
Blaggi  
Callahan  
Cheney  
Dorgan (ND)  
Flippo

Frost  
Gray (IL)  
Gregg  
Hayes (LA)  
Konnyu  
Leach (IA)  
Lukens, Donald  
MacKay

Martin (IL)  
Mica  
Parris  
Pickett  
Rowland (GA)  
Skaggs  
Spence

□ 1250

Mr. LEWIS of Georgia changed his vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the House agreed to consider House Resolution 498.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MURTHA). The gentleman from Michigan [Mr. BONIOR] is recognized for 1 hour.

Mr. BONIOR. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Missouri [Mr. TAYLOR] and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 498 provides for the consideration of House Resolution 497 condemning the Government of Nicaragua's anti-democratic actions, calling for compliance with the Esquipulas II and Sapoia accords and urging both sides of the Nicaraguan conflict to return to negotiations. This rule provides for consideration of this resolution in the House, and no amendments will be permitted. There shall be 1 hour of general debate, equally divided between myself and Representative EDWARDS of Oklahoma.

The rule provides for one motion to recommit if offered by Representative EDWARDS of Oklahoma.

Mr. Speaker, I reserve the balance of my time.

Mr. TAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 498 is a rule under which the House will consider condemning the Communist Sandinista government of Nicaragua for its flagrant violations of the Central American peace accords.

Mr. Speaker, the rule provides for consideration of House Resolution 497 in the House later today. Since the Committee on Rules is asking that this rule be considered today, on the same day it was reported, we needed a two-thirds vote in favor of consideration.

Mr. Speaker, I urge the House to adopt this rule so that we may consider the resolution condemning Nicaragua.

Mr. Speaker, the condemnation measure is bipartisan. It seeks to supply political and diplomatic pressure on the Sandinistas. It was introduced by the gentleman from Michigan [Mr. BONIOR] and the gentleman from Oklahoma [Mr. EDWARDS].

The rule provides for consideration of the resolution in the House, and debate is limited to 1 hour. Under the rules of the House, no amendment will be in order. The gentleman from Michigan [Mr. BONIOR] and the gentleman from Oklahoma [Mr. EDWARDS] will equally divide and control the debate time.

Mr. Speaker, there is little question that the Sandinistas have taken their control of Nicaragua several dangerous steps beyond what was agreed to in the Central American peace accords.

They have recently used tear gas in the streets of their capital to halt democratic demonstrations, and they have arrested democratic leaders. They have closed newspaper offices and they have shut down religious radio stations.

Mr. Speaker, the Sandinistas have brutally repressed their people, they have suspended the most basic of human rights: The freedom of the press and the freedom of assembly.

The resolution condemns these actions, and calls upon the Government of Nicaragua to live up to their word and implement the true democratic reforms they made commitments to in the Central American peace accords.

Mr. Speaker, it is clear to me that this Congress made a grave mistake last February, when it killed President Reagan's efforts to continue military aid to democratic resistance forces.

When this Congress passed a humanitarian aid package in late March, our action was predicated upon a cease-fire and adherence to the peace process.

We now see that foreign policy fashioned by the Congress will be misused and abused by the Communist Sandinistas.

Mr. Speaker, your political party is on the verge of opening its national



convention. My political party will hold its national convention next month. Unlike Nicaragua, there will be no military troops in the streets of Atlanta or in the streets of New Orleans. Unlike Nicaragua, our National Government will not arrest the leaders of opposition political parties. Our National Government will not close the newspaper offices and shut down religious radio stations.

Mr. Speaker, Americans have 210 years of experience in handling democracy. Despite all our efforts, it is apparent that the Communist Sandinistas cannot handle 210 days of it.

I urge this House to adopt this rule, bring up the House resolution condemning Nicaragua, and pass it today. If we are to remain a beacon of democracy for the world, if we are to show freedom loving people throughout the world our sincerest desire for peace, we must take this step today.

Mr. Speaker, I yield 1 minute to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Speaker, we are here today to consider the rule and the resolution condemning the Sandinista government for their recent actions in Nicaragua, and I will support both that rule and that resolution.

Certainly the events in the last few days have in the most bare-faced way exposed the true nature of the Sandinista government. They have not only damaged their own people and injured their own people, but they have affronted the human rights and the civil rights of all the people of the world by closing down once again one of the very few independent radio stations that operates in that country and closing down for at least 15 days the one single independent newspaper. Their expulsion of our diplomats operating as diplomats and observing events taking place in that country is an outrageous act that will be condemned by every American for what it truly is, an attempt to cover up the failures of this Sandinista regime in Nicaragua.

Mr. Speaker, the Sandinista regime stands condemned by its own people and stands condemned in the court of world opinion. We should pass this resolution.

Mr. BONIOR. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. CROCKETT].

Mr. CROCKETT. Mr. Speaker, I rise in opposition to the rule providing for the consideration of House Resolution 497.

First, I object to the manner in which this resolution is being brought to the floor today. It bypasses the Foreign Affairs Committee. The Foreign Affairs Committee—and more specifically, the Subcommittee on Western Hemisphere Affairs, which I have the honor to chair—has oversight jurisdiction over United States policy toward Nicaragua.

Contra aid packages have ceased to be referred to the Foreign Affairs Committee for consideration. The committee has grudgingly accepted that procedure. However, in this case, we are considering a resolution regarding policy, and the Foreign Affairs Committee has again been totally bypassed. This resolution should have been referred to committee for consideration under normal procedures.

According to the Office of the Legislative Counsel, this procedure is "virtually unprecedented." The only other occasion in recent history when a resolution expressing a statement of foreign policy was taken directly to the floor without consideration by the committee was nearly a decade ago when the leadership drafted a resolution in support of the Camp David Accords on the same day of the signing of their accords.

Mr. Speaker, we have committees in this Congress for a purpose—to prevent hasty and mistaken action by this House. In my opinion, this resolution is both hasty and mistaken.

First, the resolution condemns the action of the Nicaraguan government of expelling our Ambassador, without an opportunity for this Congress to determine whether there is any substance to Nicaragua's accusations. And, second, it condemns the noncompliance of Nicaragua with the Central American peace plan, but never mentions the noncompliance of the other signatories.

Mr. Speaker, we have been grappling with this issue for the last 8 years, and we will probably continue to do so. What is the hurry in bringing this resolution to the floor today, without any review of the situation or consultation with the appropriate committee?

There is no hurry. I urge defeat of the resolution.

□ 1300

Mr. BONIOR. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Speaker, I hold no brief for the Sandinista government or its actions, and in opposing this rule and the resolution I want that to be clearly understood.

It seems sometimes as if the highest levels of the Sandinista government have been infiltrated by the CIA. That is the only explanation for the stupid judgment that they have exercised in expelling our Ambassador and other envoys, closing down Radio Catolica and suspending La Prensa, when there are only some 6 months left of the Reagan administration, when we finally managed after some 7 years to stop funding the killing and brutalizing of Nicaraguan citizens.

But at the same time, Mr. Speaker, it seems to me that we ought to have greater respect for the integrity of our own body and the integrity of fact and

truth and fairness in considering resolutions.

I have the privilege of serving on the Subcommittee on Western Hemisphere of the Foreign Affairs Committee. I have accepted the fact that because the Contra aid packages have been a combination of appropriation and authorization that the committee has been bypassed, and the subcommittee has been bypassed; but to bypass the subcommittee and the Foreign Affairs Committee on a resolution of this kind when there is no urgency to this action, it seems to me makes a mockery of the committee system. I am surprised and saddened that the leadership would deprive a committee of its jurisdiction under these circumstances.

As far as the substance of the resolution is concerned, it must be noted that we do not know what the facts are regarding the expelling of the American Ambassador. I read a story in this morning's paper about the fact that Mr. Melton is very much of the Eliot Abrams school of diplomacy in his attitude toward the war in Nicaragua.

I think that our committee should have had a chance to explore that. Certainly we ought not to have a resolution on this floor without the chance of changing a word or a comma. I think that does a disservice, not only to the committee, but to this entire House.

Furthermore, as to the unbalanced nature of the resolution, in its singular condemnation of the lack of freedom to exercise democratic rights, I would suggest that people who want to oppose their government have a better chance of surviving in whole in Nicaragua than they do in Honduras or El Salvador or Guatemala.

The SPEAKER pro tempore. The time of the gentleman from New York [Mr. WEISS] has expired.

Mr. BONIOR. Mr. Speaker, I yield 2 additional minutes to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Speaker, I thank the gentleman for the additional time. I really appreciate his courtesy.

The citizens of those countries in opposing any action of their government or even if they are suspected of doing so take their lives in their hands. Many who have done so have suffered the consequences. That is not to say that the instincts and approach of the Sandinista government is not one of intolerance and in many respects totalitarian; but fair is fair.

The Contras are still operating unhindered in Honduras. That is in violation of the Esquipulas accord but not a word about that in the resolution.

The Contras were responsible for breaking off the peace talks. They presented final demands, without any advance notice, with the demand of a re-

sponse within 2 hours but not a word about that either in this resolution.

Those of us who have been opposing the Reagan administration's war policies in Nicaragua ought to oppose a resolution that is as ill-conceived and ill-thought out and ill-considered as this one. It clearly furthers the administrations aim of starting up the war again. It will undoubtedly be used in support of a Reagan request to resume funding of the Contras.

Mr. Speaker, As I have indicated, I believe that the Sandinista regime has demonstrated the worst judgment possible in its recent actions. The decision to expel 8 U.S. envoys, close Radio Catolica, suspend La Prensa, and the arrest of 40 opposition leaders, was completely wrong-headed, ill-timed, and likely to deal a further blow to a peace process that is already reeling. I know that I share with many of my colleagues the keen sense of disappointment and discouragement that the Sandinistas chose to take such an extreme and undemocratic measure at this critical moment.

Given the Reagan administration's policy over the last 7 years of working to overthrow the sovereign Government of Nicaragua, a move to expel United States diplomats in the past would not have been surprising to anyone. But to do it now with barely 6 months left to the Reagan administration, is, at a minimum, extremely counterproductive. It shows a total misjudgment of the American political system and only lends support to the forces that seek military aid to the Contras.

But we must be certain not to compound one blunder with another. Renewed military aid will only mean more bloodshed, more misery and more heartache for the people of Nicaragua. I remind my colleagues of the recent statement of the top military commander of the Contras, Enrique Bermudez, who publicly endorsed terrorism as a legitimate means of accomplishing Contra goals. Are we going to continue to tarnish the moral integrity of our Nation by supporting terrorists?

I urge my colleagues to focus our efforts on restoring the vitality of the Central America peace process. The peace process is the only way to bring about solution to the problems of the region.

Mr. TAYLOR. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, you know, I get sick and tired of you folks sticking up for the Communists—the Communists in Nicaragua. They have been beating people in the face with rifle butts. They closed down Radio Catolica, La Prensa, and they have violated every single agreement almost without exception that they made at Esquipulas. They have violated the agreement they made with the OAS in 1979.

They are Communists, and yet I come to the floor and I listen to you folks and continually you support them. You blame America first.

Why do you do that? Why is it always America that is wrong and the Communists in Nicaragua that are right?

The people in this country who watch this ought to be sick and tired of you folks.

Time and again, you defend Daniel Ortega, who has received billions of dollars in war materiel from the Soviet Union, has Cuban mercenaries in his country. He has got PLO's and every other fellow traveler you can think of down there, and yet you stick up for him time and again.

The people of this country ought to regurgitate every time they hear you speak.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK. Mr. Speaker, I think that the somewhat frayed bonds that have attached some of the Members opposite to reality are in danger of snapping.

The previous gentleman did not stick up for the Government of Nicaragua. He was very critical.

We will talk about the substance shortly.

I think the Nicaraguan Government ought to be condemned for professing support for norms which it does not follow through on; but you know, they are not the only people who come to mind who profess support for what they claim are fundamental democratic norms and then ignore them when they are convenient.

We had a passionate set of special orders a little while ago from people on the other side. They lamented the fact that we get closed rules on controversial issues. They rent the air with their cries of pain for committees that were bypassed. They objected passionately to our failure to observe waiting periods.

We got a triple-header up today. We had a resolution that suspends the waiting period and brings a resolution to the floor under a closed rule and bypasses the committee.

Do you know what we heard from those who are the great patrons of procedural regularity a couple of weeks ago? Hurray. Every single Republican voted for it because their commitment to procedural regularity is more flexible than a rubberband. When they find it useful, committees can be bypassed, the rule can be closed, the waiting period can be suspended.

I am going to vote for the resolution. I do not think those things are immutable, but I do not pretend that I do. I do not take our special orders and talk about how terrible a closed rule is. We heard some of the most passionate rhetoric from the other side in objection to every single aspect of this rule, and we see today how little they really meant it. We see today that it was convenient to object, but they did not mean it. Procedural regularity is a stick they use.

Mr. GINGRICH. Mr. Speaker, will the gentleman yield?

Mr. FRANK. I yield to the gentleman from Georgia.

Mr. GINGRICH. Mr. Speaker, I would just like to say to the gentleman, that since the gentleman's side controls the rules and controls the schedule—

The SPEAKER pro tempore. The time of the gentleman from Massachusetts [Mr. FRANK] has expired.

Mr. BONIOR. Mr. Speaker, I yield 2 additional minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. GINGRICH. Mr. Speaker, if the gentleman will yield further, if the other side wanted to set up a schedule to bring to the floor a series of things on this issue in a regular manner that we would be more than delighted to work out open rules; but the gentleman's side controls the procedure. The gentleman's side sets the rules of the game, and it is a little much to blame us for something controlled from the other side.

Mr. FRANK. Mr. Speaker, the gentleman is simply, flatly, irrefutably wrong. There was no objection here today. The fact is there was no request from the other side. No one said, "Oh, wait a minute, don't vote to bypass the committee. Let's set up a schedule."

There was enthusiastic support. Now the gentleman says because I pointed out the inconsistency, "Oh, well, if you had asked us to set up a schedule, we would have agreed," a schedule on which we would have been 1½ hours.

The fact is that three of the fundamental rules that you all pretended to be upset about were violated today and you knocked each other over to vote to violate them.

So the argument that you could not stand that just does not make any sense.

I suggest you might want to join with Daniel Ortega in practicing how to pretend to be for things that people are not really for.

Now, I do not think there is anything the matter with bypassing a committee. Committee bypass is fine if you want to bypass them. Just do not pretend.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. FRANK. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, it seems to me we had a bill on the floor yesterday that you people came up with that was a plant-closing bill that you did all these things on the plant-closing bill; no hearings whatsoever.

Mr. FRANK. Right.

Mr. WALKER. You had this, and it seems to me the gentleman voted for it.



Mr. FRANK. The gentleman as usual misunderstands. I do not pretend to be worried about that.

Mr. WALKER. Oh, the gentleman does not pretend to follow the rules?

Mr. FRANK. Mr. Speaker, one of the rules the gentleman should know about is who gets to talk when who has the floor.

Mr. WALKER. Oh, now we are going to follow the rules?

Mr. FRANK. Mr. Speaker, regular order, please.

Now, I will explain to the gentleman from Pennsylvania that I never said that I was upset about a closed rule. I am not saying closed rules are bad. I am saying pretending that you think closed rules are bad is bad.

When we had a closed rule yesterday, I voted for it. We have got a closed rule today, I voted for it, but I am not one of those on the other side who says, "Oh, a closed rule, what would James Madison have said? Oh, my God, we bypassed the committee. Thomas Jefferson is turning around in his grave."

The fact is the gentleman has found a nonexistent inconsistency. I did not object to closed rules. I did not object to bypassing the committee.

My point is that when they want to, it is fine; and when they do not want to, they make it up.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. FRANK. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding.

I want to point out to the gentleman that this side did not request a closed rule. We are for open rules. We believe in open rules.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts [Mr. FRANK] has again expired.

Mr. FRANK. Mr. Speaker, will the gentleman yield an additional 30 seconds?

Mr. BONIOR. Mr. Speaker, I yield 3 additional minutes to my friend, the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK. Mr. Speaker, I thank the gentleman for yielding this time.

The gentleman from Pennsylvania just said that we requested an open rule. You just voted for a closed one. Now, did you make a mistake? Did somebody change the machine? Was it rewired, like the time your dots disappeared?

The fact is, Mr. Speaker, that we had a rule up here—we did not get to the closed rule yet which you all are going to vote for except maybe now you think you better not, but you probably will anyway. We just voted to suspend the rules on the 1-day waiting period so that we could take up a closed rule and bypass the committee, and every single one of you voted for it. Was that a mistake?

You say you wanted an open rule. Now, I have been here before; when you guys want an open rule, you vote for an open rule, and when you want a closed rule, you vote for a closed rule.

The fact is that it is perfectly reasonable to proceed in this way, in my judgment, but it also shows that your special order of a month ago meant about as much as Tomas Borge saying that the first amendment is his favorite document.

Mr. DORNAN of California. Mr. Speaker, will the gentleman yield?

Mr. FRANK. I yield to the gentleman from California.

Mr. DORNAN of California. Mr. Speaker, much of what the gentleman says has merit to it. Can the gentleman forgo any more discussion on this and get to the substance of the evil of what the Sandinistas are doing, so we can discuss the substance of this issue?

Mr. FRANK. I am sorry. I appreciate the gentleman's concession that what I have said has merit, and I honor the gentleman's integrity, but we are now debating the rule.

Remember, we are talking about procedural regularity. We have 1 hour to debate whether or not to adopt the rule. Then we have 1 hour to debate the substance. I will be glad to debate the substance when we get to it.

In my view, the resolution is a good one, because it criticizes the act without saying that we should have military assistance; but I do understand the gentleman's discomfort, because I think the Republican party's pretense of a month ago has been exposed by their enthusiastic embrace of the most procedurally irregular rule I have ever seen. I am going to vote for it, but I have never pretended to be the opposite.

Mr. TAYLOR. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. DORNAN].

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. DORNAN of California. I am glad to yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, I just want to say, today may well be an historic day. We are seeing two incredible events occur. We have seen liberal Democrats protesting a closed rule, and that alone marks this day as a red-letter day. Then we are going to maybe see some liberal Democrats condemn the Gestapo of the left, the Sandinistas.

We are twice blessed, and I thank the gentleman.

Mr. DORNAN of California. Mr. Speaker, the battle or the discussion over the rule may be lost on the American people who follow the proceedings of this Chamber.

I want to come up here and exercise or create a complimentary mood for what I see happening on the House floor today.

□ 1315

The vote we have just had on the rule is interesting because of the diversity of Members who voted for it. The discussion on the rule is an inside-the-Beltway discussion about closed rules, but I think the vote we saw on the rule is going to be pretty much the vote we are going to have, in a couple of hours, on condemnation of the Communist government in Managua. It is going to be something like about 360 to 40. In that 40 are some people like the distinguished gentleman in the chair who does not have any problem at all with severe harsh criticism of Communist brutality down in Nicaragua, but he has some problem with the process. There are some people in the 40 that probably will end up voting for a resolution of condemnation, and there are other people there who are consistently against condemning anything, anything that has to do with violations of human rights on the entire left end of the political spectrum.

Mr. Speaker, I do not mind if we forgo any rules to condemn Stroessner of Paraguay or the Pinochet dictatorship in Chile, if they take to the streets, as the Sandinistas have done. Last week the Sandinistas took gun butts and used those gun butts on women and children. I think the one area of concern in this House for all of us who are truly brothers and sisters is human rights. When human rights are violated in an egregious, ugly way—we see it before our eyes where television has extended our very nerve endings so we can see and hear and empathize for the pain that people are feeling, whether it is in a rightwing or leftwing oppressive situation—we should always quickly dispense with the rules and come up with a tough resolution. Because when that resolution moves, with whatever power is left in the world court of public opinion and public condemnation, immediacy is supremely important.

It would not do any good if we listened to my chairman, the gentleman from Michigan [Mr. CROCKETT], of Western Hemisphere, and had hearings on this and weighed in with bizarre opinions. We could have all the hearings we wanted, and by the time we spoke out, the Sandinistas would be doing what they have been pretty much doing anyway, and that is laughing in our face.

Arias, the Nobel Prize-winning Costa Rican President, said in today's Washington Post that he thought all of these democratization processes in Nicaragua were irreversible. What kind of training did he get at school in the United States? Whoever heard of any Communist mood to open a newspaper or to put a radio station back on the air, that it was irreversible? Of

course, they can reverse anything they want, and they do.

Mr. Speaker, let me come back to some compliments. I do compliment, and I am not going to be a cynic and say it is because we are leaving today for our majority Members to go to the Democratic Convention; I think that it is a fair observation to say that the sensibilities of the majority, particularly some of the leaders in this House on human rights offenses on the left of the political spectrum, those sensibilities are much more hardened than on our side of the aisle. We respond on my side, I think, to rightwing brutality as quickly as we do leftwing brutality. But the other side is slow to respond to leftwing brutality. However, I think there has been a sincere turnaround by many Members on the majority side, that they do feel betrayed by the Sandinistas. Many of the Members on the other side were swept up like Hollywood in the romance of the revolution, the red and black scarves, throwing out this fat, adulterous pig Somoza, and they sort of cheered secretly when a bazooka blew him to bits in Asuncion, Paraguay. I am afraid it has been a long, hard trip for the majority to realize that these are nine hardcore Communist thugs destroying the economy and the freedoms of the people of Nicaragua. I salute the Members on the majority side for finally coming up with a resolution of condemnation with some teeth in it. If that does not work, what is going to be their next move? I hope they will stay on the path of integrity.

Mr. TAYLOR. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I just want to make a couple of points. One of the reasons why some of us would favor this rule is because we have found over the last few weeks that there are no rules around the House, that when one wants to get something done around here they have to take the course of action given to them by the leadership that sets all the standards around here, and so in this case, we think that there is a serious situation in Central America where people's lives are at stake and where political prisoners are being taken on a regular basis, and that that needs to be addressed in this particular body before we go on recess.

Mr. Speaker, if we were going to be here next week, we might have been able to follow more regular procedures. As I said to the gentleman earlier, many of us would have preferred an open rule in this particular case, and it probably would have been a good idea to have some amendments out here. It would have been interesting to see where the amendments come from.

I also want to make another point. When the gentleman from New York spoke, he suggested that all the problems in the Sandinista Government might be, and I assume he was kidding, because they have been infiltrated at the highest levels by the CIA. It is interesting we always come up with a blame-America theme, that we somehow cannot accept the fact that these are outright Communist tyrants, and the reason that they behave the way they do is because they are stalling us, because that is the way one handles problems in their country, they beat people up, imprison them, and if they still do not comply, they are killed. They shut down newspapers, shut down radio stations, and do all the things that Communist tyrants do. It seems to me the gentleman from New York might want to consider that as one of the options that is available to us that in fact what we have here are Communist tyrants who deserve the condemnation that they are going to get from this House this afternoon.

Mr. BONIOR. Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I rise today in support of the rule, in support of the resolution. It is unusual, and probably the first time I cast a vote in the affirmative dealing with this type of issue. However, I do not want that to be misconstrued or misunderstood. I do not still support military aid for the Contras in Nicaragua. I think it is very simple.

Mr. Speaker, I have listened to the comments here of several of the previous minority speakers, and I think they make a lot of sense. There are grounds for condemnation, but I say that here is a Member that would like to do something about those Commies down there, but what those Members keep doing is extolling the virtues of the second team, the reserves. I do not think the Contras warrant any support. I believe that we are on a failed mission in Nicaragua.

If the minority members are bringing up to this body again that we are engaged in the Super Bowl, then I say to my colleagues it is time we send out the first team, and if we are saying that we need some military action in the fast lane with the Contras, we are not going to send in a crew in a Ford Edsel.

Condemnation is in order, but that should not be misconstrued that this body and this side of the aisle is for a flawed policy in Central America.

When we talk about human rights abuses, let us face it: Here it is easy to get on the floor and bash the Nicaraguans.

There have been an awful lot of human rights abuses taking place in other parts of the world where the silence in the House has been deafening. One has been a very unpopular area

where people do not want to talk about it, and that is where Palestinians have been handcuffed, their ankles bound, and with gun butts their ankles, knees and elbows have been beaten.

Mr. Speaker, I am a very strong supporter of Israel, but those are human rights abuses, and Congress has failed to speak out. Let us get off the political kick here. We have a group that has not overthrown an outhouse, and I condemn the actions of the Sandinista regime. I do not in any way lend anybody to believe that Congress should continue with the flawed policies we have in the past.

Mr. DORNAN of California. Mr. Speaker, will the gentleman yield?

Mr. TRAFICANT. I am happy to yield to the gentleman.

Mr. DORNAN of California. Mr. Speaker, I would like to send the gentleman the Contra freedom fighter combat reports from La Rosa and Bonanza. That was more than an outhouse that they blew up.

Let me ask the gentleman a question: I was a little confused earlier, because I was going along with the theme of his rhetoric until I thought I felt a hint, just a hint, of the 82d Airborne. Did I hear that?

Mr. TRAFICANT. Mr. Speaker, reclaiming my time, I would just say to the gentleman that there are people on this side of the aisle who do not love these Communists in Central America, but the gentleman has brought forward a program that has about as much merit, I think, that anybody in this House could deny.

Mr. Speaker, I think it is time we settled on a firm policy. The rhetoric should be set aside.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. TRAFICANT. I am happy to yield to the gentleman.

Mr. BURTON of Indiana. Mr. Speaker, let us make the question a little clearer: Is the gentleman from Ohio advocating sending in American troops in place of the Contras?

The SPEAKER (Mr. MURTHA). The time of the gentleman from Ohio [Mr. TRAFICANT] has expired.

Mr. TAYLOR. Mr. Speaker, I yield the gentleman from Ohio [Mr. TRAFICANT] 30 seconds.

Mr. TRAFICANT. Mr. Speaker, no, I do not think that we should enter into military action and send our troops into Nicaragua, but I do feel that the actions we have taken with the Contras have been ridiculous. We have wasted the taxpayers' dollars, and I think that has been evident. They do not control one crossroad, and they have not had one military victory or an achievement, and most people in America look at them as the Three Stooges, and that is their original crew, Calero, Robelo and Cruz.



Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. TRAFICANT. I am happy to yield to the gentleman.

Mr. BURTON of Indiana. Mr. Speaker, what did the gentleman mean the first time?

Mr. TRAFICANT. We are certainly not for communism. I think everybody knows that, and the gentleman does as well.

Mr. TAYLOR. Mr. Speaker, I yield 6 minutes to the ranking minority leader of the Committee on Foreign Affairs, the gentleman from Michigan [Mr. BROOMFIELD].

Mr. BROOMFIELD. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, this resolution is the least we can do to express the outrage felt by Americans to the latest wave of repressions in Nicaragua.

We should not be surprised at the Sandinista repression of virtually all civil liberties of the Nicaraguan people. The Sandinistas are liars and thugs whose main priority is to stay in power!

In 1947, Harry Truman, when addressing a joint session of Congress, stated—

The free peoples of the world look to us for support in maintaining their freedoms. If we falter . . . we may endanger the peace of the world, and we shall surely endanger the welfare of this Nation.

The Sandinistas have demonstrated over and over their scorn for democracy and for peaceful negotiation. One of the reasons they have been able to do so—perhaps the chief reason—is that the U.S. Congress has been unwilling to react forcefully to their actions.

Mr. Speaker, I fear that the Sandinistas have taken the measure of the House of Representatives. They now feel they can do anything because of the unlikelihood that this House would react forcefully to any provocation.

As I said, this resolution is the least we can do. What is not in the resolution is more important than what is in this resolution.

What does the House of Representatives plan to do in the event the Sandinistas fail to respond to our expressions of concern?

President Reagan clearly put the issue before this body and the American people on May 9, 1984, 2 months before the 1984 Democratic Convention. And I quote:

The simple questions are: Will we support freedom in this Hemisphere or not? Will we defend our vital interests in this hemisphere or not? Will we stop the spread of communism in this hemisphere or not? Will we act while there is still time?

Four years later, there has yet to be any meaningful response from the majority.

I am beginning to believe that the situation in Nicaragua may be lost. Time and time again, Congress has failed to act to keep up the pressure on the Sandinistas. How much longer can the Contras fighting in the field, and the political opposition demonstrating in the streets, hold out without effective U.S. support?

Responsibility to demand change does not rest solely with the United States. Similarly, I call on regional leaders to be more assertive in their actions against the Sandinistas. For example, President Arias of Costa Rica, who won the Nobel Prize for his efforts to achieve a regional peace agreement, should now turn his attention to Sandinista noncompliance.

Mr. Speaker, yesterday the Senate passed a resolution in response to the latest Sandinista actions. The other body squarely stated its position that the United States should respond to the blatant violations of the Esquipulas accords by pursuing a policy to support the Nicaraguan democratic resistance and, if necessary, providing humanitarian and military assistance to the resistance.

Mr. Speaker, I commend the forthright action of the other body and challenge the Members of the House to be as bold in demonstrating that we are prepared to follow our words with action.

Mr. BONIOR. Mr. Speaker, I yield 4 minutes to my colleague, the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I am going to support this resolution because it very simply makes some legitimate observations about the conduct of the Nicaraguan Government that we have every right to object to.

Mr. Speaker, I should start by saying that having heard some of what I have heard today, there is no risk that scholars in the future will turn to this day when they look for some of the more stellar debate which has occurred in the Chamber.

All I would say is that there is every reason to support this resolution, because it is clear that the conduct of the Nicaraguan Government is something which we have every right to object to.

□ 1330

I think it would be a very big mistake if people assume, however, that that conduct means that we automatically ought to resume military aid to the Contras. I would simply suggest if we begin to count up every country in the world that was running a foreign policy or a domestic policy in ways which offended our view of human rights, we would run out of fingers and toes pretty quickly. And if we assume that on the basis of that conduct we were supposed to make war against every government with which we disagreed, we would be having more wars

today than I think any reasonable human being would want to experience.

Let me simply point out one fact. This resolution is clear in its attack on the conduct of the government which is in violation of basic human rights, which is in violation of freedom of the press, which is in violation of freedom of activity of the church. But for those who feel that that means we ought to resume military aid to the Contras, I would like to simply bring their attention to an article which appeared in a number of newspapers just a week ago, originating in Newsday. The lead paragraphs in that article say as follows:

A leader of the Nicaraguan contras says the rebels deliberately broke off cease-fire talks with the Sandinista government last month to provoke a crisis that would force the United States to resume a more active role in Central American diplomacy and, if possible, bring about a resumption of U.S. military aid to the rebels.

The rebel official, who asked not to be identified, said that the Reagan administration's response, sending Secretary of State George Shultz to the region last week, was exactly what contra leaders had wanted.

He went on to say:

"We broke off the . . . talks. They were strangling us," he told a reporter a few hours after the contra civilian and military leaders had met with Shultz Thursday night. "So long as we were talking, we had no chance for a revival of military aid."

I think it is clear from that statement that the Contras at least share equal responsibility with the Government of Nicaragua in sandbagging those talks. I would simply suggest to Members on this resolution to not legislate on the basis of title. Read the language. This language is a very clear, level-headed indication of our objection to conduct to which we have every right to object. I think we ought to pass it and not pretend somehow that we are standing at Armageddon whether this resolution passes or fails.

Mr. TAYLOR. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Mr. Speaker, I thank my friend from Missouri for yielding time to me.

Mr. Speaker, I think this debate will be of interest to future scholars who try to understand the way in which the Democratic Party came to deal with the realities of the world.

Given the repression by Nicaraguan Communists last weekend, leftwing Democrats found themselves very embarrassed. As a revealing I think Washington Times headline this morning said, "Sandinistas put Democrats in an uncomfortable position." It goes on to quote a leading Democrat as saying, "There's too much joy in some quarters in Washington over the announcement of closure of La Prensa and Radio Catolica." Imagine the kind

of bizarre focus which would lead a national Democratic leader not to focus on tear-gas in Nicaragua, not to focus on secret police killing and locking up people in Nicaragua, not to focus on repressing marchers in Nicaragua, not to focus on censorship of Radio Catolica or censorship of La Prensa, but to be worried that those of us who favor freedom in fact are feeling positive about the reasons and are feeling positive about the fact that the Nicaraguan Communists have once again proven they are what they say they are: Communists.

I understand the embarrassment of our friends on the left. It was the Democratic Speaker who met in secret on Veterans Day with the Nicaraguan Communist dictator. It is the leftwing Democrats who stopped aid to the freedom fighters. It is leftwing Democrats who said publicly they trust the Nicaraguan Communists more than they trust the leaders of the American Government. It is leftwing Democrats who filed a resolution of inquiry not into the Nicaraguan Communists but into the American aid program to the freedom fighters.

It is the Washington Post which recently described some of the leftwing Democrats by name and said they bear responsibility for what the Communist Government of Nicaragua is doing during a period in which they have stopped aid to the freedom fighters and they have protected the capacity of that Communist government to survive, and that is the Washington Post.

To this very day, it is the Democratic Speaker who blocked consideration of new aid to the freedom fighters, and today there is a report of 37 Senators asking the Democratic Speaker to agree to bring to the floor an aid package.

Finally, the fact is if they want to be candid, that all of the recent violence, brutality, and repression of the Nicaraguan Communists over the last weekend really embarrassed the House Democrats on the eve of their national convention in Atlanta.

The fact is there are three groups. There are those who would rush to do something as long as it is meaningless, but at least to do something to prove going into Atlanta that they are not going to stand by and watch Communist repression and not at least pass a resolution.

There is a second group, those who are committed by ideology to oppose anything which is offensive to the Communists, and so they voted no.

And then there is a third swing group, ably represented by the very brilliant orator from Massachusetts, one of the finest defense attorneys that the leftwing machine has, who gets up and raises procedural arguments, who says, "Oh, why are you bringing this to the floor this way?" A brilliant smoke screen.

Mr. FRANK. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. Let me make just one suggestion, and I will yield in a minute.

Given who your party chose to chair the Subcommittee on Western Hemisphere Affairs, the fact is on Monday or Tuesday you could not have gone to the subcommittee and brought that resolution out of that subcommittee.

Mr. FRANK. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. Given the majority of leftwing Democrats you put on that subcommittee, it is the opinion of the Republicans on that committee that you could not have brought it to the floor by using the procedures.

Now I understand the brilliance of your speech, and I am glad to yield to you in a few seconds, but I think you ought to at least be candid on the floor of the House, and you ought to have said—

Mr. FRANK. Mr. Speaker, if the gentleman will yield, is he suggesting that I was not being candid?

Parliamentary inquiry, Mr. Speaker. The SPEAKER pro tempore (Mr. MURTHA). The gentleman will state his parliamentary inquiry.

Mr. GINGRICH. Mr. Speaker, I do not yield for a parliamentary inquiry. I am told that I do not have to, and I do not yield.

My point is simply, and I will give the gentleman a chance to be candid in a second and I am sure he will be, but he knows that if he had come to us and said let us have an open rule we would have been for an open rule. In fact, your side specifically asked for a self-enacting rule. The gentleman knows that if you want to say to us let us rise from this debate and go back to the Rules Committee and come back later on today and have an open rule, including aid to the Contras, including aid to the international forces of resistance, that we would be delighted to work out an open rule. We do not mind if our friends on the left offer amendments.

Now I would simply suggest that while you are a brilliant defense attorney, it is a very, very bad case you are defending.

Mr. FRANK. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. Mr. Speaker, I am glad to yield first to my friend, the gentleman from Wisconsin [Mr. OBEY] who rose first, and then I will yield to the gentleman from Massachusetts.

The SPEAKER pro tempore. The time of the gentleman from Georgia [Mr. GINGRICH] has expired.

Mr. BONIOR. Mr. Speaker, I yield 4 minutes to my friend, the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would simply make the observation that I doubt very

much that the gentleman in the well or many other Members of this House would be in favor of our making war on Chile, or making war on South Africa, or making war on the Soviet Union, or making war on the People's Republic of China, or making war on Paraguay because we do not like the way they deal with the human rights or the press or the church within their own country. And it suggests to me that there is a certain lack of balance in observations coming from some sectors in this House when they suggest that when it comes to Nicaragua yes, we ought to make war on it because we disagree with what they are doing internally, but no, we should not make war on these other countries.

I just have to suggest that I feel this debate, unfortunately, is probably going to be about 90 percent political and 10 percent substantive. That is probably a little better mixture than we get in this House any time after April Fool's Day in an election year, but I really do think when we have a subject as serious as this we ought to be doing a little bit better.

Frankly, I do not think people listening to this debate outside of this Chamber today care much about "you did that," or "you did this," or "we supported this kind of a rule; you supported that kind of a rule."

I think what they care about is whether we have responsible enough judgment to distinguish between behavior that requires comment and behavior that does not. I would suggest that this is what this resolution does today, and that is all it does.

Mr. FRANK. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Speaker, I thank the gentleman from Wisconsin for yielding, unlike the gentleman who it seemed to me suggested that I was not being candid refused to do after being advised on procedure by his friend from Pennsylvania who coached him that he did not have to yield to a parliamentary inquiry. The gentleman from Georgia, of course, simply misstated my position. I did not object to the resolution coming forward. I voted for it coming forward.

Unlike some Members opposite, I do not vote for resolutions and then pretend to be upset with the procedure. If I am upset with the procedure, I will vote "no."

My point was not that we should not have brought it forward. It is I think a perfectly reasonable resolution as it has been explained by the gentleman from Wisconsin. We can condemn the lack of liberty without being committed to a war. We are not the 911 for the Civil Liberties Union, and certainly there is no less plausible advocate of the position that we must respond



with force to the lack of democracy than Ronald Reagan, who we all remember had to be pried weeping and lamenting from the bedside of the Marcoses.

But the gentleman from Georgia misstated my point. I simply wanted to point out that the Republican objection to closed rules and bypassing committees is not a real one. When it is convenient, they are in favor of it, but when it is not convenient they complain about it. Yes, I am being candid. I do not regard those as serious problems and I therefore voted for this resolution and never pretended to the opposite. And the gentleman's suggestion that I was not being candid or that I was against the resolution coming forward are equally wrong.

Mr. OBEY. Mr. Chairman, I would suggest that simply because sometimes the Government of Nicaragua appears to think with its spleen rather than its head is no reason that the United States Congress ought to also do the same.

Mr. TAYLOR. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. PURSELL].

Mr. PURSELL. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I did not intend to get into this debate, but I really want to take a couple of minutes to remind my colleagues of some American history. Back after World War II; namely, the Truman-Vandenberg bipartisan foreign policy which was crafted after World War II that brought the United States to world leadership. The crafting of NATO, the United Nations, and the Marshall plan, illustrates to me that this Congress and this leadership on both the Republican and the Democratic side must move away from this dimension of the debate and move to the more statesmanlike role of crafting a new bipartisan role with Central America.

Back in March of 1987 the gentleman from Pennsylvania [Mr. MURTHA] who is sitting in the chair, and myself, cosponsored a resolution to introduce a bipartisan commission patterned after the Kissinger, Scoop Jackson idea, putting together a commission to develop a long-range comprehensive policy, for Latin America, not just Nicaragua, in which we would face up to the economic, political, and social relationships with our Latin American neighbors. It is high time that this House and the Senate and the President of the United States look beyond the day-to-day events that occur in a given country in Latin America and realize that they are our neighbors, like our Canadian neighbors who happen to be our No. 1 trading partners, and begin to craft a bipartisan foreign policy that this Nation can address and utilize as an instrument, a true partnership.

Mr. BONIOR. Mr. Speaker, I yield 1 minute and 15 seconds to my friend, the gentleman from Delaware [Mr. CARPER].

Mr. CARPER. Mr. Speaker, there has been some squabbling here today over the question of opened and closed rules and procedures. I think that is regrettable, albeit understandable.

□ 1345

I would like to take just a minute to refocus this debate on the important substantive message I think we are trying to send from this Chamber today. Here is what I believe we are trying to say: We want the printing presses at La Prensa to roll; we want Radio Catolica back on the air; we want the opposition leaders who have been arrested to be released and we want the law which makes this possible in Nicaragua to be rescinded.

We do not want those things next year, we do not want them next month, we want them now.

We also want the talks between the Contras and the Sandinistas to get back on track before it really is too late. No one ever said the path to peace and democracy in Nicaragua would be an easy one, but prior to the events of last weekend, real progress has been made, and an agreement was within reach that most of us could live with. Further progress toward the twin goals of peace with democracy in Nicaragua can still be made, but only if the Contras and Sandinistas—and their allies—want it to happen.

Mr. TAYLOR. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, "one more time, now you get back to that table one more time. You do this again and well, we will pass another resolution, maybe." And the gentleman from Wisconsin who talks about making war, we do not want to make war on anybody, we want to help freedom fighters as we did the Mujahidin.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. HYDE. Let me finish.

Mr. OBEY. The gentleman used my name.

Mr. Speaker, will the gentleman yield?

Mr. HYDE. Before I say anything I yield to the gentleman from Wisconsin to answer what I have not said yet.

Mr. OBEY. I thank the gentleman for yielding.

Well, I think we probably know what the gentleman is going to say. I am simply going to ask the gentleman: If the Contras are fighting the Nicaraguan Government are people going to die?

Mr. HYDE. I hope nobody dies, I hope that the Sandinistas understand that they are following in the footsteps of Castro and Lenin and Stalin

and Ho Chi Minh and all those good guys.

Now if I can finish: A little history is so important although perhaps strange. But let me quote you a little history. I am quoting from the CONGRESSIONAL RECORD of December 21, 1982. Now bear that date in mind. And the person speaking is a distinguished Member from Congress who was then chairman of the Subcommittee on the Western Hemisphere of the Committee on Foreign Affairs on which I have the distinct honor and illuminating experience to serve.

Now I quote from the RECORD, "in an attempt to be constructive, for 2 years I have practiced quiet diplomacy," 2 years putting us back into 1980, "I have practiced quiet diplomacy, muting my criticisms of the direction of the Nicaraguan revolution out of fear that they would be used by Nicaragua's enemies. I have traveled to Nicaragua, received Nicaraguan officials in my office, and engaged in private correspondence with Nicaraguan leaders, all with the objective of making the same points in private to the Nicaraguan Government that Ambassador Fiallos sought to exercise his right as a Nicaraguan citizen to make publicly: That to maintain any understanding in the international community Nicaragua must now, unequivocally, choose the path of freedom, democracy, nonalignment and respect of basic freedom for its people. Most recently, on September 29," talking about 1982 now, folks, "I joined six other Members of the House in addressing a private letter stating these concerns to the Nicaraguan junta and directorate. That letter has not been answered.

"Mr. Speaker, I must now say to the leaders of Nicaragua: What do we have to show for our efforts, What do we have to show for our forbearance? How much longer do you expect us to remain silent in the face of what seems to be the slow but inexorable destruction of the ideals of your revolution?

"I make this statement with full knowledge that it will be used by those who wish Nicaragua ill. But the seriousness of the situation demands it. Nicaragua must change course, and it must do so now."

December 21, 1982.

Well, here we are, Bastille Day, 1988, saying, "You have got to change course, you guys, come back one more time and let's talk, while the Soviets are pouring in literally millions of dollars and weapons and ammunition and we have cut off the Contras without a penny since February 29, of military aid, and the field is tilting, tilting, tilting until you cannot stand up on it.

We are saying, "One more time, let's talk, let's talk." I feel a responsibility because I voted for the \$75 million for

the Sandinistas. I helped put those people in power to get rid of the hated, despised Somosa. I joined President Carter who elevated human rights to a position of primacy in the hierarchy of values around this place. He was right.

What about the human rights of the 10,000 who were hit with rifle butts last weekend? What about the human rights of the 8,000 in jail? And you cannot find them, you do not know their names and they cannot be visited. Does anybody care? Do you care? And your response to that is a resolution of condemnation.

Listen, thank God for small favors. I am delighted we are getting this out of you. But you have got to do something because diplomacy is without the power of a force behind it.

Mr. TAYLOR. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BONIOR. Mr. Speaker, I yield back the balance of my time and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. BONIOR. Mr. Speaker, pursuant to House Resolution 498, I call up the resolution (H. Res. 497) condemning the Government of Nicaragua's antidemocratic actions, calling for compliance with the Esquipulas II and Sapoá accords, and urging both sides to the Nicaraguan conflict to return to negotiations.

The Clerk read the title of the resolution.

The text of House Resolution 497 is as follows:

#### H. RES. 497

Whereas in signing the Esquipulas II peace accord on August 7, 1987, the Government of Nicaragua pledged "to promote an authentic, pluralist and participatory process that includes the promotion of social justice" and "respect for human rights";

Whereas under that accord, the Government of Nicaragua is specifically required to establish "complete freedom of press, television and radio" "for all ideological groups" "without prior censorship", and "full exercise of the right of association and . . . free speech", as well as "freedom of movement", to decree an amnesty guaranteeing "freedom in all its forms", and to terminate state of emergency laws while establishing "the full exercise of all constitutional guarantees";

Whereas in signing the ceasefire agreement between the Government of Nicaragua and the Resistance on March 23, 1988, in Sapoá, Nicaragua, the Government of Nicaragua agreed to "decree a general amnesty for those tried and convicted for violation of the public security law, and for members of the previous regime for crimes committed before July 19, 1979";

Whereas on July 10, 1988, the Government of Nicaragua used force, including tear gas, to suppress a peaceful demonstration by the internal civic opposition, and arrest-

ed more than forty people, including opposition leaders;

Whereas on July 11, 1988, the Government of Nicaragua expelled United States Ambassador Richard Melton and seven United States Embassy officials;

Whereas the Government of Nicaragua also ordered the closing of the opposition newspaper *La Prensa* for fifteen days, and the indefinite suspension of the operations of the Roman Catholic radio station;

Whereas on July 11, 1988, the Government of Nicaragua arbitrarily arrested Conservative Party Secretary General Miriam Arguello and Democratic Coordinator Carlos Huembes;

Whereas the Government of Nicaragua has thousands of political prisoners remaining in detention and, since August 1987, has released only approximately one thousand political prisoners;

Whereas the Government of Nicaragua has kept in place the Maintenance of Order and Public Security Law, which makes it a crime against the state to speak against the revolution;

Whereas the Government of Nicaragua has kept in place the Law of the Means of Communication, which allows the Ministry of Interior to close down any communication outlet without cause or due process;

Whereas the Government of Nicaragua continues to receive thousands of metric tons of military hardware from the Soviet bloc, valued at hundreds of millions of dollars; and

Whereas the Government of Nicaragua has confirmed that it is planning a force of some six hundred thousand active and reserve, military and police personnel: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) condemns the brutal suppression by the Government of Nicaragua of basic human rights and the restrictions placed by the Government of Nicaragua on freedom of the press, freedom of assembly, and other civil liberties;

(2) declares the expulsion from Nicaragua of United States diplomatic representatives, and the arrest in that country of more than forty people including opposition leaders, to be intolerable;

(3) calls upon the Government of Nicaragua to undertake the steps necessary to implement true democratic reform in keeping with the commitments of the Esquipulas II and Sapoá accords;

(4) calls upon the Government of Nicaragua to comply immediately with internationally recognized standards concerning the treatment and release of political prisoners;

(5) urges the leaders of the countries of Central America to convene immediately to assess the conditions in Nicaragua described in this resolution; and

(6) urges both parties to the conflict in Nicaragua to abide by the ceasefire and to resume negotiations for a lasting peace and democracy in Central America.

The SPEAKER pro tempore (Mr. MURTHA). Under the rule, the gentleman from Michigan [Mr. BONIOR] will be recognized for 30 minutes and the gentleman from Oklahoma [Mr. EDWARDS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, for over 6 years, I have come to this Chamber to speak out against this administration's policy in Central America, and to condemn the brutal excesses of the Contra war. I have denounced the Contras' rampant human rights abuses—the murder and kidnaping of innocent civilians; the homes, farms, and villages destroyed in a terrible campaign of terror. And over the years, I believe this body has been correct in our efforts to bring an end to this brutal war. The policy of Contra aid brought no democratic reforms, only greater suffering for innocent civilians in Nicaragua.

Since August of last year, the efforts of President Arias of Costa Rica have opened doors to peace and democracy in Nicaragua that many had doubted were possible. Despite setbacks, progress moved to the point where the Contras and the Sandinistas, sitting down fact-to-face, had come very close to a peace agreement before the Contras walked away from the table.

The situation in Central America is now at a very difficult stage. The ceasefire between the Nicaraguan Government and the Contras is fragile. There are increasing reports of Contra attacks against civilians. Yet, the foundations for progress toward peace and democracy that have been laid by President Arias, I believe, still remain.

But, it is important that both sides to the conflict in Nicaragua know that, we in this Congress condemn any violations of the principles of democracy. In the past week, the Nicaraguan Government has taken several actions which represent a severe setback for the peace progress. They have closed *La Prensa*, and the Catholic radio station. They have moved violently against opposition rallies, and arrested opposition leaders, and they have taken the virtually unprecedented step of expelling a U.S. Ambassador.

We bring this resolution to the floor today to express our bipartisan condemnation of these actions. Members of this body disagree vehemently on many aspects of our policy toward Central America. But I believe we must not waiver in our support of democratic principles, and our willingness to speak out against violations of those principles wherever they occur.

Although this resolution is a strong statement of disapproval of the actions of the Nicaraguan Government, it also sends a strong signal of our broad bipartisan commitment to resolving the conflicts in Central America through negotiations. It calls upon the countries of Central America to meet immediately to discuss the situation in Nicaragua, and it urges both sides to the Nicaraguan conflict to return to negotiations for peace and democracy.



Mr. Speaker, I reserve the balance of my time.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Speaker, I rise in support of this resolution now because it makes a very strong condemnation of Sandinista atrocities and because I expect this body to take stronger action later against the repressive Sandinista regime in Nicaragua.

How many times do we have to see the Communist Sandinistas trample the rights of the citizens of Nicaragua before we in this Congress finally admit they have no intention of creating a democracy?

This resolution is strong words but just that—strong words telling the Sandinistas is they don't behave—what?

There are no teeth to this resolution! Is there anything here that's going to make any of the Sandinista "comandantes" change their minds and be less repressive?

It's like yesterday's editorial in the Los Angeles Times. It strongly condemns the Sandinistas, but that's all. The editorial concludes that the United States must show restraint, and the Soviet Union and Cuba should withhold further arms for Nicaragua.

President Arias asked the Soviet Union and Cuba to stop arms shipments. Did they? Of course not.

When in the past 9 years have the Sandinistas shown restraint? Only when there has been pressure opposing them. Any time the pressure has been relieved against the Sandinistas they have responded by tightening the screws against the internal opposition.

Since 1979, we have debated the nature of the Sandinista regime in Nicaragua so often, we've lost count.

How many times do we have to witness the Communist Sandinistas breaking their promises to protect human rights before we in this body act with resolve to oppose their brutal regime? They made promises to the OAS in 1979 and didn't keep them. They made promises to the Central American Presidents at Esquipulas in August 1987 and didn't keep them. They made promises in San Jose in January 1988 and didn't keep them. They made promises in Sapoa in March 1988 and didn't keep them.

What are the real intentions of the Sandinistas? Do we believe what they say or do we believe what they do?

They signed the Central American peace initiative of President Arias in Guatemala in August 1987. In that accord, the Sandinistas said they would stop supporting Marxist guerrillas in neighboring countries, protect the human rights and civil liberties of their own citizens, bring democratic reforms to their government and

reduce their military strength. What the Sandinistas did afterward was to sign an agreement in September with the Soviet Union and Cuba to increase the military strength of the Sandinista army to 600,000 men plus providing missiles and Mig's.

You also have to question Daniel Ortega's sincerity in agreeing to the Arias peace plan calling for democracy in Nicaragua when Ortega says that if the Sandinistas were ever to lose an election they would never hand over power.

And so we come to today's resolution. It makes it look like critics of military aid to the Contras can appear to be tough on the repressive Sandinistas, when, in fact, they may merely reinforcing the Sandinistas view of the United States as a "paper tiger." What the Washington Post concluded in its editorial on Sunday, June 12, about certain Democrats in the House of Representatives is relevant.

That editorial starts out by saying:

Perhaps it was not the Sandinistas' purpose to use their talks with the Contras to destroy them, but the results have been going that way.

The Post editorial then concludes with—

A Sandinista 'peace' is all but ensured in Nicaragua. Democracy, the other part of what was supposed to be bargain, it not. It is conceivable that . . . [certain] Democrats could stop chasing ghosts and playing political games and bring themselves to be marginally helpful in a cause they insist they embrace, or at least to stop hurting?

Well, if those certain Democrats or any one else believes this resolution is going to relieve them of their responsibility for destroying the chance for democracy in Nicaragua, they are mistaken.

I am going to vote for this resolution, but I expect this body to back up the outrage expressed in this measure with more meaningful action that will bring real pressure on the Sandinistas to enact democratic reforms in Nicaragua.

□ 1400

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. CHANDLER].

Mr. CHANDLER. Mr. Speaker, I rise in support of House Resolution 497, condemning the Government of Nicaragua's recent actions. Now that the Sandinistas are confident of eliminating the Contra threat, they have begun their final offensive against the nonviolent, political opposition.

In the past week, they have:

Brutally beaten and gassed demonstrators;

Shut down the only opposition daily newspaper, La Prensa; and

Banned the Catholic Church's radio news program, "Iglesia."

They have also escalated their campaign against the United States, expel-

ling eight diplomats—including our Ambassador—and have refused to accept our measured, diplomatic response.

Abandon the Contras, we were assured, and the Sandinistas will open their society.

But in Nicaragua, the opposition quietly warned us that if the Sandinistas were not preoccupied with the Contras, they would turn their wrath inward.

As the voices of the opposition are gagged, and its arms and legs are shackled to prison walls at Tipitapa and El Chipote, what can the apologists say now.

This bipartisan resolution follows our decision in December to codify our definition of acceptable democratization in the Chandler-Byron amendment passed overwhelmingly last year.

This resolution makes clear that not only are the Sandinistas in flagrant violation of the 33 principles of Chandler-Byron, but they have wholly reneged on their commitments in the August Central America peace accord, and, the Sapoa cease-fire accord—signed less than 4 months ago.

With the March passage of completely inadequate aid to the Contras—easily manipulated by the Sandinistas—the prospects for either peace or freedom have disintegrated.

This resolution is a good first step. But until we agree to give the Contras the only real influence the Sandinistas understand, the peace process, as well as the fight for freedom in Nicaragua, is doomed.

Mr. Speaker, I would like to add that earlier during the debate on the rule, one of our colleagues said, "Let's no longer send in the second team. Let's send in the first team."

And then he was not able to come right out and say he was talking about direct aid from the United States, but that is what he meant and that is what we are trying to avoid.

Mr. BONIOR. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, a few minutes ago one of the Members of the House asked, "Doesn't anybody care about the Nicaraguan Government's violation of human rights, about political prisoners, about the lack of freedom of the press, or about the lack of freedom of movement for the church in Nicaragua?"

My simple response to that is: "You bet we care." I think everybody in this House cares. That is why we want to see both parties brought back to the negotiating table. That is the only way in the end we are going to change what is happening in Nicaragua.

Do we care? You bet we care. I care about the kids in Nicaragua who are still unable to get help to replace broken limbs and lost limbs because

they cannot get adequate medical supplies. I care about the 17- and 18-year-old kids whom I saw personally in the Contra camps, kids with their faces blown away, with their guts shot out, with their hands gone and their feet gone, kids who will never have a decent future. I care about the blood and guts that have been spilled on both sides of that conflict, and I care about the human beings on both sides. We should all care about what happens to people on both sides of that conflict, because innocent people are getting creamed on both sides.

The question is: What do we do about it? The only practical thing, in my judgment, that we can do about it is to try to do the best we can to get both sides back to the bargaining table. We have had a situation in which the Contra leaders have admitted that they broke up the negotiations in order to try to get Uncle Sam to resume military aid. I do not think we have to follow their leadership like sheep. I think it is a mistake to do that.

The other point I would like to respond to is that people seem to have the impression that somehow it has been the expectation that glorious democracy would bloom in Nicaragua if we would just cut off military aid. I have never believed that. I have been around here too long to believe that. I have observed human nature and I have observed Marxist governments too long to believe that. I believe in what Archie, the cockroach said, when he said, "An optimist is a guy who ain't had much experience." So when it comes to the Nicaraguan Government, I have had too much experience to be optimistic about them.

So I do not believe that we have a good chance of restoring democracy in Nicaragua. I do not believe we are likely to see human rights respected by that government. I do not believe we are likely to see them treat the church with decency, but neither do I believe that requires us to go to war with them.

I think we need a policy which focuses primarily on Nicaragua's external conduct, and as long as they leave other countries in the region alone, I do not suggest that we should try to remove that government. That does not mean I like that government. I think that government is lousy. I also think we need to provide all the economic and political pressure on that Nicaraguan Government that we can, so long as they do not meet certain standards of elemental human decency.

I think we ought to insist that our European trading partners cut off aid to Nicaragua. I think we ought to insist that all parties shut off any money going into Nicaragua and try to force both parties back to the negoti-

ating table. But I do not believe that the solution is war.

So I simply suggest that this resolution, in a very calm way, suggests and defines the conduct which we find unacceptable, and it suggests that the way to resolve the problem is to go back to the negotiating table.

Do I think we have a good chance of making that happen? Frankly, I doubt it very much. But I do not think that I am required to fall off the end of the Earth every time something happens that I think is unacceptable, every time something happens that I think is bad. There are desirable things that we want in this world, and then there are necessary things. We need to learn to distinguish between the two.

Mr. Speaker, I suggest that we ought to adopt this resolution. Then we ought to get about the business of trying to use our influence, not to try to one-up each other politically on this issue, but to try in an united way to find a way to push both parties back to the bargaining table by applying whatever pressure we can short of putting this country into war.

Mr. Speaker, I do not think that is too much to ask of this country, and I do not think that is too much to ask of this great body, with the minds that we have in it.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Speaker, I thank the gentleman from Oklahoma for yielding this time to me.

Mr. Speaker, I rise in strong support of this resolution condemning the Nicaraguan Government for the suppression of human rights and civil liberties and for the expulsion of Ambassador Melton and seven Embassy personnel. I was in Nicaragua this past weekend with a bipartisan delegation to look into the human rights situation of political prisoners and the progress of the Arias peace plan.

Our Embassy had arranged meetings with Tomas Borge, Minister of the Interior, and Sergio Ramirez, Vice President, of Nicaragua and the delegation. These meetings had been scheduled before our arrival in Managua. They were confirmed by Ambassador Melton but were later canceled by the Sandinista Government.

I can report to you that the situation has deteriorated dramatically. The number of prisons has increased to about 60 and the number of prisoners incarcerated for opposing the Communist dictatorship of the Sandinistas has risen to roughly 6,800 prisoners. This is the situation even though the Sandinistas agreed to release political prisoners as part of the peace process. Oh, they have granted amnesty to one group of 900 and then to a group of 100, but they have imprisoned an equal number to take their place and

those released were due to get out anyway.

While we were there we had the opportunity to meet with the mothers and some of the wives and sisters of political prisoners. They gave us the names of 350 more prisoners. We also met with some of the former prisoners who were courageous enough to meet with us, some of whom, I might add, were arrested again this past weekend. They spoke of the appalling conditions that they faced in these prisons. They spoke about beatings and being burned by cigarettes, of glass crumpled up in their food, and of being isolated in cells that were 4 feet by 4 feet and completely dark. They were kept naked with abhorrent sanitary conditions and lacked food, water, and decent clothing and underwent horrifying physical torture. Conditions like these are below human dignity.

You will hear from a number of people who have gone to Nicaragua say that these conditions do not exist and that they have visited prisons. The prisons they visited are referred to as model prisons. That is where the Sandinistas take people who come from well-meaning groups in the United States. We were not allowed to visit the prisons that I spoke about earlier, the Red Cross is not even allowed in these prisons. The Sandinistas are not interested in upholding human rights. They are simply exploiting the poor people of their country.

We met with Cardinal Obando y Bravo, the priest who runs Radio Catolica and the Chamorro family who runs La Prensa. La Prensa is now closed, Radio Catolica is now closed, and many of the opposition political leaders have been arrested and imprisoned. All this is the result of a legal, authorized demonstration in Nandame on Sunday. Several of our aides went to this demonstration as observers. Unfortunately, after they left, the Sandinistas turned on the crowd and we all know what happened after that.

Mr. Speaker, I have to conclude that the Sandinista government has seriously abused human rights and civil liberties. It is quite evident that Nicaragua is in a state of disarray. Therefore, I urge my colleagues to adopt this resolution and urge the Nicaraguan Government to respect the human rights of its people and the rights of the opposition. I urge both sides to come back to the peace table.

Mr. BONIOR. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Speaker, I rise in strong opposition to this resolution. I know that in light of the manner in which it has been brought up, there is a clear indication that the previous discussion has demonstrated that this



is perhaps very definitely a lone-voiced minority position.

I have learned long ago that when such bodies as this august parliamentary body says at noon that it is midnight, then I have to get back to the office and just turn the lights on if they are not on. There is nothing much else we can do.

However, I think that, being that this is a deliberative body, those of us who strongly disagree with this resolution, its content, its thrust, and its intended effect have the duty of speaking out for the record.

In the first place, I think it is hypocritical for us of all people to accuse a government that has gone to the international tribunal of justice to air its grievance as a result of our acts of terrorism, if you please—and simply put, that is what they have been—in which we mined their harbors, destroyed facilities, and attempted to assassinate their leaders, and for which grievances that nation, as small as it is, went to the International Court of Justice and said, "We want to be heard."

We went before the International Court of Justice and answered, and after long deliberation the Court found us guilty, convicted us, and fined us.

We were one of those nations that was a party signatory to the beginning of what turned out to be the World Court or the International Court or Tribunal for Justice.

But now let us review what we are seeking to do. In a perfidious way, we have had an ambassador in Managua since first the inception of the junta and then the duly elected Government of Nicaragua now in power, elected after a free election, 10 times freer than the one we paid for and sponsored in El Salvador.

And if anybody here feels that the Government of Nicaragua does not have the support of the overwhelming populace of Nicaragua, then let me assure them they are committing an egregious error, much as has been committed in the case of Cuba.

I am not here to apologize. I notice that most speakers, even those who are condemnatory of this resolution, are very hasty to say, "Well, we condemn the Sandinistas, and we condemn this government." I do not. I do not condemn the Government of Nicaragua.

This government is bred of revolution. Where were all these champions of human rights before 1979, when they had the dictatorship of Somoza that we imposed and kept in power for 40 years, with their horrible atrocities? You can still go there and see roomful of fingernails that were pulled from their political prisoners.

Did I hear any voice in the Congress condemn that? Of course not. Why? For the main and simple reason that

we, in the eyes and the ears of the world, world judgment, do not have one allied nation's support for the actions taken by the Reagan administration since 1981.

□ 1415

Beginning with Canada and jumping over our country and going all the way to the tip of the South American Continent, Western Europe, there is not one nation that is in harmony with this course. Why? Because it is absolutely not only contrary to common sense, not only contrary to international law, but we have violated our own internal laws when we have set up a body known as the so-called Contras.

Mr. Speaker, we have sponsored an illegal group in an adjacent country that we have occupied. We are in total occupation, more than Russia is of Afghanistan or ever has been of Afghanistan. And look at what has happened. What if our controller, that country, is as accepted by the people? Why is it that the representative body of Honduras has never once passed a resolution permitting us to be there? Rather they have had a resolution condemning our presence. Why did we have the demonstrations of violence against the embassies in Honduras and in the capital of Honduras?

Mr. Speaker, I think these are the questions we should be asking ourselves rather than getting lost in this mistaken notion of mixing ideological, prefixed, condemnatory judgments with what are the sound national interests of this country that we ought to be pursuing. Article 5 of this urges other countries in Latin America, and what have we done when these countries took it upon themselves to form the organization? They offered a peace plan. Insidiously our Government undermined those efforts. We did everything before the Contadora process, and we have done everything we can since Reagan expressed his disappointment when President Arias and the other Central American presidents got together.

Why would that group that traditionally have had wars against each other finally get together? I will tell my colleagues why. I will tell my colleagues why they got the peace plan. Not because Arias was smart, but because they are sick and tired of having the bloodshed that we have imposed on Central America. That is why.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, with all due respect to the previous speaker, I cannot believe the words that were just uttered on the floor of this House.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. DELAY. Mr. Speaker, I will not yield until I finish with my statement.

Mr. WALKER. Mr. Speaker, regular order.

Mr. DELAY. Regular order, Mr. Speaker.

#### PARLIAMENTARY INQUIRY

Mr. DELAY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. MURTHA). The gentleman will state it.

Mr. DELAY. Mr. Speaker, is the gentleman's outrageous tone taken from my time?

The SPEAKER pro tempore. No, the gentleman from Texas [Mr. GONZALEZ] was not recognized.

Mr. DELAY. Mr. Speaker, to stand in the well of this House and ask such questions about this resolution, I just wish those kinds of people would go down, as I did last weekend, and ask the same questions of the people that were having their heads bashed in in Nandaimé by a black beret, a Cuban advisory group that went down there with the specific idea and plan to beat the heads in of those in a legitimate demonstration. I wish those that would oppose this resolution would go far beyond what is outlined in this resolution. Go down and ask the same questions of Miriam Arguella, who was at 1 o'clock in the morning just 2 days ago awakened out of her bed by turbas, and beaten, and arrested and thrown into a prison. Ask Carlos Huendez where did the gentleman go. Maybe he went to Managua to talk to Carlos Huendez who had his head bashed in and was thrown into prison. Ask the same kinds of questions of the other 8,000 political prisoners, more political prisoners than ever before and during the so-called peace process of the last year, going into prisons that, if we put our dogs in the prisons, the humane societies would be marching on Capitol Hill. There are people having to sleep and eat in their own excrement, having to deal in prisons that the heat is so unbearable that roaches could not live in such heat. Ask those kinds of questions of the people in Nicaragua that are being abused by this regime.

I get a little upset because I was just there, and I apologize to my colleagues, but this is not sending military aid.

This is a condemnation resolution condemning a regime that at this point is almost identical to the Stalin regime in the Soviet Union. They are killing people. They are beating people. Their policies are starving people.

Mr. Speaker, the Nicaraguan people are starving. That is why they are marching in the streets at the very, very threat of their own lives. They are starving. And what are the Sandinistas going to do? They are going to be magnanimous. They are going to give every family of five 1 pound of

sugar, 1 pound of beans and 1 pound of rice a month to live on.

The American people ought to ask themselves if they can live on 1 pound of rice, 1 pound of sugar, 1 pound of beans. The gentleman ought to ask his own religious priests who are beaten in the streets and dragged through the streets, the Catholic Church who just had their radio stations shut down and their presses beaten about, what is the oppressive regime. And the very violence of comparing the United States of America to the Soviet Union is unbelievable on the floor of this House.

But, Mr. Speaker, just let me say that I hope my colleagues will support this resolution because it is a bipartisan resolution condemning these kinds of policies. But I also hope that this is the last, the last, warning that we give Nicaragua.

History shows that, if we have a 100-percent support of freedom fighters, as we did in Afghanistan, freedom will prevail. And this ought to be our last warning before we go and support the opposition that is dying today inside Nicaragua.

Forget the Contras. Support the opposition because revolution is on its way.

Mr. BONIOR. Mr. Speaker, I would like to make sure that Members who are listening to this debate understand that, if they wish to cosponsor the bill, they still have approximately 30 to 40 minutes left to do so before the end of the debate. So, if they are interested, they are welcome to do so.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield such time as he may consume to the gentleman from Montana [Mr. MARLENEE].

Mr. MARLENEE. Mr. Speaker, I am pleased that we have an opportunity to express our opinion on the current situation in Nicaragua.

I strongly condemn the actions of the Communist Sandinista government against the unarmed, peaceful opposition and our diplomats. Isn't it interesting to note that 10 days after the administration decided not to request renewed military and humanitarian aid to the Contras, Nicaraguan dictator Daniel Ortega brutally cracked down on a peaceful opposition rally, arrested 42 opposition leaders, expelled 8 United States diplomats, accusing them of being clowns and puppets of Reagan's terrorist policy and closed down La Prensa and Radio Catolica.

Yesterday, the Communist Sandinistas took over a major symbol of private enterprise in Nicaragua, the San Antonio sugar mill. Like good Communists, the Sandinistas claim that "property is subject to the superior interests of the nation," which justifies seizing the largest sugar mill in Central America.

When will we learn that the Sandinistas are Communist thugs, willing to promise naive liberals anything in order for them to stay in power? How many times do we have to have the lesson drilled in our heads that the Sandinistas respond only to pressure? Military pres-

sure from the Contras are an essential element of restoring peace and democracy in Nicaragua. Without it, Nicaragua will become a base for Soviet and Cuban designs on Central America and Mexico.

Costa Rican President Oscar Arias, the winner of the 1987 Nobel Peace Prize, has sharply criticized the Sandinistas for derailing the peace plan and suppressing the internal opposition. I salute him for that action.

However, President Arias expressed an excusable naivete, similar to the reaction of Britain's Prime Minister Neville Chamberlain to Adolf Hitler's totalitarian agenda, when he said, "I always thought that Sandinista measures toward a more pluralistic society and their compliance with the democratization stipulated by the peace plan were irreversible. But that's not so." The light of day has finally struck President Arias.

However, it may be too late for the Contras. The Sandinistas keep extending the deadline for the cease-fire negotiations to prevent humanitarian aid from reaching the irregular forces inside Nicaragua. In other words, the Sandinistas are trying to starve the Contras out of existence.

Instead of debating how we can "move the peace process along," we should exhibit leadership and vote for more military and humanitarian aid to the Nicaraguan resistance forces. This action alone would send shivers down the spines of the Sandinista thugs, which would magically turn into concessions from the Sandinistas for more democracy in Nicaragua.

Mr. Speaker, I endorse House Resolution 497. But it should go one step further, as the other body did, and threaten the resumption of military aid to the Nicaraguan freedom fighters if they do not comply with the Esquipulas II and Sapoa accords. We've been played the patsy too many times to let Nicaragua become a permanent satellite of the Soviet Empire.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, this resolution I think is a very important resolution because I think it says something to Nicaragua. It also says something to the people of this country, and I hope that we will be seen as saying something to those people who are well intentioned but who have in the past been in support of the Sandinista regime down there because this resolution says something in an official nature by Congress about the true nature of Communist tyranny in Nicaragua.

For example, this resolution says to those who believe that the Sandinistas tolerate opposition that what really happens in Nicaragua is that the Sandinistas use tear gas, suppress peaceful demonstrations and arrest opposition leaders. This resolution says to those who say there are no political prisoners being held in Nicaragua that indeed there are thousands of political prisoners being held in Nicaragua who remain in detention. This resolution

says to those who do not believe that any Soviet military supplies have been moving into Nicaragua that indeed thousands of metric tons of military hardware from the Soviet bloc valued at hundreds and millions of dollars are going into Nicaragua, and this resolution also says that Congress indeed believes that the Nicaraguan Government is planning to build an army of 600,000 active reserve military and police personnel.

This resolution also tells my colleagues something about what we think really is going on in Nicaragua when we say flatly in the resolution that we condemn the brutal suppression of basic human rights by the Government of Nicaragua. It also says that the Government in Nicaragua is not complying with international accords and calls upon the Government of Nicaragua to comply immediately with internationally recognized standards concerning the treatment and release of political prisoners.

We say very flatly in this resolution that something has gone drastically wrong in Nicaragua, that Communist tyranny is indeed imposing the kind of rule on the people that is unacceptable and is unacceptable to everyone.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Speaker, I believe it is important that in these difficult days in Nicaragua that we here in the Congress of the United States continue to show support for both the substance, as well as the ideal, of democracy in that troubled country of Nicaragua. That is the purpose of this resolution today.

We are all well aware of the tough line that the Marxist government in Nicaragua has taken toward those Nicaraguans who every day put their lives and put their fortunes on the line to give substance to democratic ideals in that troubled country. The Sandinistas has promised to live up to these ideals, these ideals of democracy, on a number of occasions, Mr. Speaker. They made promises to the Organization of American States in 1979, in Esquipulas last August, in San Jose this past January, and finally in Sapoa this past March, and yet the actions taken by the Nicaraguan Government last week show the hollowness of their promises.

Today, as we debate this resolution, there are a number of resistance leaders who believe in those ideals who are in jail there in Nicaragua today.

Mr. Speaker, this resolution merits our support. It merits our support for two reasons; the first, to show solidarity with those members of the internal opposition who are now in jail; and, second, to let Daniel Ortega know that we are watching events there closely. Mr. Speaker, he misjudged this body



of the U.S. Congress on previous occasions, and he is about to make the same mistake again.

Thus, Mr. Speaker, it is proper that we condemn the suppression by that government of the basic human rights and restrictions placed by that government on the freedoms that are due to civilized humanity.

□ 1430

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. BUECHNER].

Mr. BUECHNER. Mr. Speaker, Oscar Arias, the Nobel Prize winner, said yesterday that he has grave disappointment with what the Sandinistas did. The most interesting thing was that he thought that the Democratic moves, the openings of the press, the openings of the churches, the freedom of assembly, were irreversible. Those were his words—irreversible.

What happened this weekend was a breach of not only the trust that this body had placed in the Sandinistas, mistakenly, I might add, a breach in what the agreement they put their words to paper on, they had signed their names. They said, "We agree that it is a breach of that."

Mr. Speaker, what it was, was symbol of the naivete that came forth. It was a good naivete. It was a belief that there would be some movement toward peace, and this body said, "OK. We are going to give a chance for those dreams to come true."

But they were only dreams. Those dreams were shattered in the hands of thugs when they slammed the doors on those prisons and put more people in, when they closed the press and they shut down the radio station, those were realities. Reality is a Marxist government that used this peace process only to do one thing, to shut off United States aid to shrink the internal resistance, to begin to put into place the Cuban dominated system of oppression. That is what the Sandinistas used the peace process for.

We have been had. Oscar Arias should not be disappointed. He should face reality, and the reality is that we must adopt this resolution.

It should go further than this, but we must adopt this resolution, because those of us who stood in this well and said that this is what the Sandinistas intend to do. The Sandinistas intend to snooker you. The Sandinistas have a lure out here. This is a trick. It was a trick. They did not intend to be abiding by this resolution. They intended to do just what they did, and that was to breach the truth.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Speaker, I come down in the well today to avoid something that I think would be very dis-

tasteful, and that is to say, "We told you so."

What I want to do is take a minute to compliment the gentleman from Michigan [Mr. BONIOR]. The gentleman from Michigan has been very, very committed to the process in Central America. It has not been a commitment in the direction that the gentleman from Illinois [Mr. HYDE] or the gentleman from Oklahoma [Mr. EDWARDS] or the gentleman from Texas [Mr. DELAY] or many in our leadership thought was the right way to go, but not for a second did we ever question the gentleman's commitment to try to resolve the problem in Central America, to bring democracy to Central America.

It takes a very big man to sponsor a resolution like this and to condemn people who he has held out hope for, for such a long time. The gentleman deserves to be complimented for saying that maybe we saw things and they are just not like we want them to be.

I am willing to stand up today and I am willing to say the people in the government in Nicaragua were dead wrong, that the people in the government of Nicaragua have not acted in good faith and I am sending them a shot across the bow with a resolution that calls it like it is.

There are an awful lot of people today who do not have the courage and the decency and the integrity to stand up and say, "Hey, maybe we have to reverse ourselves. Maybe something that I believe so strongly in for so long is not turning out to be true."

I want to compliment the gentleman, but I also want to urge him that at some point this Congress is going to be faced with further action, and I hope the gentleman will display the same integrity and the same courage when the next step is necessary.

I appreciate the hard work of the gentleman from Oklahoma, who has been so persistent in this all along.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, I regret having to speak so often on this subject, but I get back to my office and I hear something said that requires a response.

I heard a Member from the other side talk about how the children are suffering in Nicaragua from this war, and I agree completely; but I would like to point out to anybody who cares, and the gentleman said he cared, a statement yesterday made by the gentleman from California [Mr. PANETTA] our valued and learned colleague, before the House Foreign Affairs Committee in pursuance of his resolution of inquiry on how the Agency for International Development was disbursing these funds, and particularly

the Children's Survival Assistance Program.

The gentleman from California [Mr. PANETTA] pointed out that the legislation authorized \$17.7 million for the Children's Survival Assistance Program to provide medical care to children affected by the war in Nicaragua and to date \$12.2 million has been earmarked for 9 private voluntary organizations; but according to the Agency for International Development, less than \$1.5 million has actually been spent for this program, and these are the key words: "Because of barriers erected by the Nicaraguan Government to the expenditure of U.S. funds for children."

Mr. Speaker, I have his statement in my hand. I think it is important that when we lament the suffering of children, let us also point an accusatory finger at the Nicaraguan Government that is obstructing the disbursement of these funds to alleviate children's suffering.

Second, I have heard repeatedly the inaccuracy, the false statement that it is the Contras that have broken up the meetings. The Contras are tired of running into a brick wall. The terms of the peace as set forth by our good friends, the Sandinistas, are, "You Contras move into cease-fire zones and then you disarm. Then we will talk about democracy."

They may be hungry and cold, but they are not crazy.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 1 minute to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Speaker, the question to our colleagues is, Why are we doing this? Why has this resolution been introduced on this emergency basis, and why will it be adopted by an overwhelming majority of this body today? In other words, what does this mean?

Just this. The Sandinistas have gone too far. Their disdain for human rights and democracy is now unambiguous. Almost all Members of this body are sick about the most recent abuses; and for the first time we are ready to act as a unified body, to speak out in condemnation of the Sandinista regime.

This resolution says that Democrats, Republicans, liberals, and conservatives are all agreed that the Sandinistas must be condemned for their actions.

This resolution, I believe, represents the beginning of a unified response to the perfidity of the Sandinistas. We now know that hope is not enough, that action by the United States is necessary to promote the cause of democracy in Nicaragua.

I look forward to continued cooperation by Democrats and Republicans alike in the pursuit of democracy in Nicaragua.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES. Mr. Speaker, should we pass this resolution? Well, of course, we should pass this resolution. We should have passed this resolution 7 years ago and we would still be here today talking about the Nicaraguan problem, because many of us and today including the gentleman from Wisconsin [Mr. OBEY] recognize publicly that actions such as this will not, in the words of the gentleman, cause democracy to bloom in Nicaragua.

That heartens me to hear him say, perhaps the gentleman from Wisconsin [Mr. OBEY] has said his recognition of that in public before, but I have not heard it; but it saddens me too, because his remarks also seem to say that we will leave the people of Nicaragua to their fate, to the Sandinistas, so long as the Sandinistas behave themselves and remain in their borders.

He did say that we should call upon our European trading partners to assist us in cutting off economic assistance and trade to Nicaragua. That is a part of the Arias peace plan formula. It is a very high-minded thought. It got President Arias the peace prize. It brought no peace and no freedom to the people of Nicaragua.

The spotlight of world opinion would likewise would not cause democracy to bloom in Nicaragua.

My question today is, and this is the part that saddens me, what do we do next?

Dante said that there is a special place in the inferno for good people who do nothing. Well, this House is full of good people. Passing this resolution is the equivalent of doing nothing.

Are we staking out our special place in the inferno? I pray not. I wonder what we will do next.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to my distinguished colleague, the gentleman from Oklahoma [Mr. McCURDY].

Mr. McCURDY. Mr. Speaker, I rise in support of this resolution today. I have to agree with the gentleman from Arizona that passage of this resolution is certainly not going to result in the democratization of Nicaragua, nor are the passages of any resolutions in this body going to implement democratization in any country within Central America or Latin America.

It does take more, it does take a concerted effort. As one who has been arguing for a number of years that the question of democracy, the question of development, the question of diplomacy and the question of defense throughout Latin America should be a much higher priority of not only the current administration, but any administration of the United States of

America, and also it should be a high priority of the Congress.

We do join today to condemn the recent actions of the government of Nicaragua. Many of us who have been active in this area and concerned about the processes throughout the region are greatly disturbed by their recent actions.

I feel quite confident that there will be ample opportunity for this body to be acting in a more definitive way in the near future; however, I think it is important that today we stand together. It is important that we do so in a reasonable fashion as equal Members of this body to stand up and say that we do not tolerate this action and we want only to express our dismay and disappointment and outrage, but more importantly, in the future that we are going to be watching very closely the actions of that government in that region.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from Oklahoma [Mr. INHOFE].

Mr. INHOFE. Mr. Speaker, the gentleman from Illinois referred to the children and how this affects the children in Nicaragua. I suggest to those of you who know this who have been there, those children are down there fighting the battles. They are actually in combat. When I was there, the average age of those who were fighting for their freedom was 17 years old. So I would like to suggest that there is another very good reason to adopt this resolution, a very humane reason that maybe has been overlooked.

I was in a hospital tent. I had a chance to go around and ask those individuals who were there, those being operated on. There were 42 beds in that tent and 1 bed in the middle where they were amputating legs, where they were operating on these individuals who had been in battle, these young kids. I got around and asked each one in their own tongue, "Why are you fighting? Why are you doing this?"

The last one was a little girl who was 19 years old. Her name was Maria Elena Gonzales. I asked her the same question. She looked up. She had been back three times. She had been fighting since she was 13 years old and she will not go back to the battlefields now, because they just that day amputated her left leg.

She looked up at me, and these were her exact words. She said:

Han tornado todo de lo que tenemos. Pero, de veras, Ustedes en Los Estados Unidos entienden. Porque Ustedes tuvieron que luchar para su libertad lo mismo que estamos luchando ahora.

What she was saying was, "They have taken our farms, our homes. They have taken everything we owned, but surely you in the United States do not have to ask that ques-

tion, because you had to fight for your liberties the same as we are fighting for ours."

That little girl could not read or write, but she knew that we fought a revolutionary war. She did not know if it was 200 years ago or 100 years ago or 20 years ago, but we in the United States of America are a beacon of freedom for those who are fighting for their freedoms, and this resolution will add life to that beacon.

□ 1445

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in support of this resolution. It is a small, sober, serious step and an important one. It represents the unified condemnation of this House of Nicaragua's treatment of political prisoners, but beyond that, it is a dead serious challenge to Nicaragua to adhere to her commitments made over and over in recent months and recent years to democracy.

The problems that face Nicaragua are enormously serious. Inflation was 6,000 percent in 1988. There are more Nicaraguans on the public payroll than in the private sector. Wages have fallen to levels below 1960. These are all legitimate political issues worthy of public debate.

Mr. Speaker, our Embassy has always supported the opposition parties in fostering public debate about public political issues at the center of Nicaragua's political life, economic life, human rights life, and I am proud of what our Embassy has done and what our Nation has done to support democratic dialog in Nicaragua.

This resolution challenges Mr. Ortega and the Sandinistas to allow debate of these very important matters, to allow public opinion and public dialog to direct public policy for the public good over the decades ahead in Nicaragua. This is not a resolution just of condemnation. This is a resolution of challenge. It represents the unified thinking of the House of Representatives and of the American public.

Mr. Speaker, I hope we will pass it overwhelmingly. I hope Nicaragua will hear it, and I hope it will reverse the course of events in Nicaragua and foster democracy and the liberty that accompanies it in the future.

Mr. BONIOR. Mr. Speaker, I yield 3 minutes to the gentleman from Washington [Mr. LOWRY].

Mr. LOWRY of Washington. Mr. Speaker, I again want to thank my friend, the gentleman from Michigan, for his continued work for peace in Central America.

Mr. Speaker, I will vote for the resolution today primarily because the bottom line says "urge both parties to



the conflict in Nicaragua to abide by the cease-fire and to resume negotiations for a lasting peace and democracy in Central America," and that is the bottom line of this resolution, and that is the bottom line of what so many people have been working for and especially based around the Arias peace process, the tremendous opportunity that that has provided for there to be a real peace in Central America. I will be voting for this resolution because that is the bottom line of this resolution.

Mr. Speaker, there are words in this resolution I would not have chosen to use, and I suppose that is always true of any resolution of this delicate nature. I think all of us as we vote on this are not saying every word in this resolution we necessarily agree with, but the bottom line is calling for the parties to return to the negotiations using the Arias peace process or however that best works to get to that peace. The words on the human rights charges, freedom of the press, freedom of assembly, civil liberties, of course, we do not like that, and in another resolution I do wish that perhaps we would also include other nations that certainly have problems of freedom of assembly, freedom of the press, suppression of civil liberties, and human rights.

Mr. Speaker, I myself always have some problem voting for a resolution that particularly talks about one particular government, because we know that these problems exist with a lot of governments in this world, and I would like to see some resolutions talking about the lack of human rights in many other countries that are not in this, and I wish that were in there.

Mr. Speaker, most importantly, in addition to my first point of calling for a return to negotiations, this resolution does not call for military aid to the Contras. If this Congress at all under some short-term political pressure should make the mistake of returning to the policy of militarily interfering with that peace process, it would be a tragic mistake. Even though almost all of us, I think, agree with what we are saying about not liking actions which have been taken, in no way do those actions say that the U.S. Government ought to militarily overthrow the government of another country. This clearly does not say that. It clearly says "proceed and support the peace process, return to negotiations." It can work if we stay responsible in this body.

Mr. STENHOLM. Mr. Speaker, I urge my colleagues to support this resolution to condemn the Sandinistas for violating the commitments which they made in Esquipulas and in Sapoa promising democracy and freedom. The success of Contra military operations and the threat of continued aid for the Contras led the Sandinistas to permit a tactical opening and liberalization. However, Congress has cut

off aid to the Contras and with it the motivation for Sandinista concessions.

What we are doing here today is sending a message to Managua. We as a Congress are sending a message to the Sandinistas that they have misjudged the Congress. We have not forgotten the Nicaraguan people and we care what happens in Nicaragua. We will not passively tolerate the imposition of a Marxist totalitarian state in our hemisphere. The Ortega brothers must understand that we have already given them the benefit of the doubt by pulling the plug on the Contras. Sandinista repression is clearly deliberate and not provoked. Their actions of the last few days have exposed them to the American people. They can no longer claim that U.S. policy is forcing them to crack down. There is no U.S. pressure.

This Congress will view continued noncompliance with these accords in serious terms and take all necessary steps to insure that Nicaragua will be free.

Mr. JEFFORDS. Mr. Speaker, the recent news of the Sandinista government's decision to expel the United States Ambassador to Nicaragua and seven members of the United States Embassy is most disturbing. Furthermore, the Sandinistas' decision to close down the opposition newspaper *La Prensa* for 15 days and *Radio Catolica* for an indefinite period indicates that the government's tolerance for democratic diversity is appallingly low.

These actions follow shortly after the break up of an opposition rally in Nandaime, Nicaragua, on July 10. Government troops dispersed the demonstrators with tear gas and arrested some 40 participants. The disintegration of a legitimate demonstration into violence is a clear indication that the Sandinistas are not willing to tolerate pluralism or legitimate expressions of opposition to the government.

Last August, strong hopes for peace were generated by the signing of the Guatemala agreement and the subsequent progress toward regional peace encouraged by the persistent efforts of Costa Rican President Oscar Arias. The March 23 Sapoa cease-fire agreement between the Sandinista government and the Nicaraguan Contras halted the fighting and brought both parties together inside Nicaragua in an attempt to resolve this protracted conflict.

Congress demonstrated its support for the Sapoa agreement and further progress in the peace talks by approving a package of non-military assistance for the Contras, medical aid for the children on both sides who lost limbs in the war, and funding for the Verification Commission created to observe the peace process and oversee the delivery of assistance.

The impetus for peace lagged as the talks dragged on. In early June, Contra negotiators issued a new set of demands just as an agreement was within reach and the talks collapsed. Increased activity by the internal Nicaraguan opposition was met by increased repression by the Sandinista government, further closing down the opportunities for legitimate political discussion.

I am pleased that the House Republican and Democratic leadership have brought this resolution to the floor. It is important that the

Sandinista government realize the depth of America's disappointment with the way they have handled this unique opportunity for peace and democracy. I join my colleagues on both sides of the aisle in urging the Nicaraguan Government to rethink this policy of retrenchment and confrontation.

Mr. ROWLAND of Georgia. Mr. Speaker, I support House Resolution 497, condemning the Nicaraguan Government for its recent actions including the closing of *La Prensa* and *Radio Catolica*, as well as the expulsion of the United States Ambassador and its continued repression of opposition groups. I am pleased that the House is taking this action today.

Mr. LEVIN of Michigan. Mr. Speaker, I support this resolution. It has been said on the floor today that this resolution is a last-minute effort by Democrats to show sensitivity to human rights issues in Nicaragua and manifests the need for resumption of military aid to the Contras. The first argument is fallacious, the second erroneous.

The majority party has consistently applied a single standard of human rights to Nicaragua—whether those rights have been violated by Somoza, or the Sandinistas, or the Contras. The majority party has consistently condemned Sandinista suppression of civil liberties and democratic institutions. This resolution reaffirms that longstanding commitment, at a moment when the Sandinistas have renewed their repressive measures, and rightly condemns the Sandinistas' resort to repression against the civic opposition.

The position of the majority party all along has been that the answer to the Nicaragua problem must be found at the negotiating table, not in the continuation of a bitter, bloody, and inconclusive war. It is ironic that as some Republicans today deride this position we see reports that the Republican administration may be coming around to the majority party's view. Secretary Shultz reportedly is now marshaling political and diplomatic, not military, pressure on the Sandinistas to make democratic reforms a part of a negotiated settlement.

The policy we reaffirm today is clear: Strong pressure on both sides to negotiate seriously and honestly for an end to the war and establishment of democratic institutions in Nicaragua.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this is an important day. On this same day 199 years ago the people of France rose up against an oppressive dictatorship, and as one of their first expressions of revolution, they stormed the Bastille to free the government's prisoners. The key to the Bastille was brought to America by Lafayette and was given to George Washington, and from that day to this day, America has been looked to by the entire free world as the champion of political freedom.

Mr. Speaker, today we stand united in condemnation of a government in this hemisphere which holds thousands of prisoners and which suppress-

es fundamental human freedoms, a nation which is building a 600,000-man armed force with the aid of hundreds of millions of dollars from the Soviet Union.

This resolution, this bipartisan resolution, condemns the use of force and tear gas on innocent civilians to break up peaceful demonstrations. It condemns the suppression of a free press. It condemns the arrest of the political opposition.

Mr. Speaker, some who vote for this resolution will do no more than that. Some of us believe that recognizing the brutal suppression of the Nicaraguan people by their government, and this resolution calls it that, the brutal suppression of the people, we must now move to strengthen those Nicaraguans, who fight to bring freedom and democracy to their country, and we will attempt to bring that decision to the House floor. Today in the spirit of Bastille Day, in the spirit of every attempt by the people of this world to live in freedom, we unanimously condemn, and I wish the vote would be unanimous, we condemn the beatings, the arbitrary arrests, the suppression of free speech by the Communist dictators of Nicaragua.

Mr. Speaker, we can do more. We must do more. I hope we will do more, but, my colleagues, we can do no less.

Mr. BONIOR. Mr. Speaker, I yield 1 minute to my colleague, the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Mr. Speaker, I rise in support of this resolution.

I have just returned from a trip to Nicaragua and have grave concern for the status of humanitarian and political liberties in that country. The decision to expel the United States Ambassador and seven other key Embassy personnel, the closing of La Prensa and Radio Catolica, and the breaking up of a demonstration put on by the opposition parties, leads me to believe that the Government of Nicaragua has no intention of bringing democracy or peace to the region.

On the final day of my visit, which happened to be the day of the demonstration in Nandaime, I, along with Representative VUCANOVICH visited the poorest section of Managua for a mass with mother Theresa at Glesia El Calvario. There were 800 people crammed into a church that could only hold 400. It was truly an amazing sight. What was even more amazing was that while the topic was ending world hunger, the Sandinista government was busy smashing the demonstration in Nandaime.

These actions cannot go unnoticed. We must pass a resolution today condemning the actions of the Nicaraguan Government. We must move forward and support democracy in Nicaragua.

Mr. BONIOR. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MURTHA). Pursuant to the rule, the previous question is ordered on the resolution.

The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 385, nays 18, not voting 28, as follows:

[Roll No. 235]

YEAS—385

Ackerman	Collins	Gordon
Akaka	Combest	Gradison
Alexander	Conte	Grandy
Andrews	Cooper	Grant
Annunzio	Coughlin	Gray (PA)
Anthony	Courter	Green
Applegate	Coyne	Guarini
Archer	Craig	Gunderson
Army	Crane	Hall (OH)
Aspin	Dannemeyer	Hall (TX)
Atkins	Darden	Hamilton
AuCoin	Daub	Hammerschmidt
Badham	Davis (IL)	Hansen
Baker	Davis (MI)	Harris
Ballenger	de la Garza	Hastert
Bartlett	DeFazio	Hawkins
Barton	DeLay	Hefley
Bateman	Derrick	Hefner
Bates	DeWine	Henry
Bellenson	Dickinson	Herger
Bennett	Dicks	Hertel
Bentley	Dingell	Hiler
Bereuter	DioGuardi	Hochbrueckner
Berman	Dixon	Holloway
Bevill	Donnelly	Hopkins
Bilbray	Dorgan (ND)	Horton
Billakis	Dornan (CA)	Houghton
Billey	Downey	Hoyer
Boehlert	Dreier	Hubbard
Boggs	Durbin	Huckaby
Boland	Dwyer	Hunter
Bonior	Dyson	Hyde
Bonker	Early	Inhofe
Borski	Eckart	Ireland
Bosco	Edwards (CA)	Jacobs
Boucher	Edwards (OK)	Jenkins
Boulter	Emerson	Johnson (CT)
Boxer	English	Johnson (SD)
Brennan	Erdreich	Jones (NC)
Brooks	Espy	Jones (TN)
Broomfield	Evans	Jontz
Brown (CA)	Fascell	Kanjorski
Brown (CO)	Fawell	Kaptur
Bruce	Fazio	Kasich
Bryant	Feighan	Kemp
Buechner	Fields	Kennedy
Bunning	Fish	Kennelly
Burton	Flake	Kildee
Bustamante	Florio	Klecza
Byron	Foglietta	Kolbe
Callahan	Foley	Kolter
Campbell	Ford (MI)	Konnyu
Cardin	Ford (TN)	Kostmayer
Carper	Frank	Kyl
Carr	Frenzel	LaFalce
Chandler	Galleghy	Lagomarsino
Chapman	Gallo	Lancaster
Chappell	Garcia	Lantos
Clarke	Gaydos	Latta
Clay	Gejdenson	Leath (TX)
Clement	Gekas	Lehman (CA)
Clinger	Gephardt	Lehman (FL)
Coats	Gibbons	Leland
Coble	Gilman	Lent
Coelho	Gingrich	Levin (MI)
Coleman (MO)	Glickman	Levine (CA)
Coleman (TX)	Goodling	Lewis (CA)

Lewis (FL)	Oxley	Smith (NJ)
Lewis (GA)	Packard	Smith (TX)
Lightfoot	Panetta	Smith, Denny
Lipinski	Parris	(OR)
Livingston	Pashayan	Smith, Robert
Lloyd	Patterson	(NH)
Lowery (CA)	Payne	Smith, Robert
Lowry (WA)	Pease	(OR)
Lujan	Penny	Snowe
Lukens, Thomas	Pepper	Solarz
Lukens, Donald	Perkins	Solomon
Lungren	Petri	Spratt
Mack	Pickle	St Germain
Madigan	Porter	Staggers
Manton	Price	Stallings
Markey	Pursell	Stangeland
Marlenee	Rahall	Stenholm
Martin (NY)	Ravenel	Stratton
Martinez	Ray	Studds
Matsui	Regula	Stump
Mavroules	Rhodes	Sundquist
Mazzoli	Richardson	Sweeney
McCandless	Ridge	Swift
McCloskey	Rinaldo	Swindall
McCollum	Ritter	Synar
McCrery	Roberts	Tallon
McCurdy	Robinson	Tauke
McDade	Rodino	Tauzin
McEwen	Roe	Taylor
McGrath	Rogers	Thomas (CA)
McHugh	Rose	Thomas (GA)
McMillan (NC)	Rostenkowski	Torres
McMillen (MD)	Roth	Torricelli
Meyers	Roukema	Traffant
Mfume	Rowland (CT)	Udall
Michel	Russo	Upton
Miller (OH)	Sabo	Valentine
Miller (WA)	Salki	Vander Jagt
Mineta	Sawyer	Vento
Moakley	Saxton	Visclosky
Mollinari	Schaefer	Volkmmer
Mollohan	Scheuer	Vucanovich
Montgomery	Schneider	Walgren
Moody	Schroeder	Walker
Moorhead	Schuetz	Watkins
Morella	Schulze	Waxman
Morrison (CT)	Schumer	Weber
Morrison (WA)	Sensenbrenner	Weldon
Mrazek	Sharp	Whittaker
Murtha	Shaw	Whitten
Myers	Shays	Williams
Nagle	Shumway	Wilson
Natcher	Sikorski	Wise
Neal	Siskis	Wolf
Nelson	Skaggs	Wolpe
Nielson	Skeen	Wortley
Nowak	Skelton	Wyden
Oakar	Slattery	Yates
Oberstar	Slaughter (NY)	Yatron
Obey	Slaughter (VA)	Young (AK)
Olin	Smith (FL)	Young (FL)
Ortiz	Smith (IA)	
Owens (UT)	Smith (NE)	

NAYS—18

Conyers	Kastenmeier	Savage
Crockett	Miller (CA)	Stark
Dellums	Owens (NY)	Stokes
Dymally	Pelosi	Towns
Gonzalez	Rangel	Weiss
Hayes (IL)	Roybal	Wheat

NOT VOTING—28

Anderson	Hayes (LA)	Nichols
Barnard	Hughes	Pickett
Biaggi	Hutto	Quillen
Cheney	Jeffords	Rowland (GA)
Dowdy	Leach (IA)	Shuster
Flippo	Lott	Spence
Frost	MacKay	Traxler
Gray (IL)	Martin (IL)	Wylie
Gregg	Mica	
Hatcher	Murphy	

□ 1514

Mr. HAYES of Illinois and Mr. TOWNS changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.



**PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO HAVE UNTIL 6 P.M. FRIDAY, JULY 22, 1988, TO FILE REPORT ON S. 328, PROMPT PAY ACT AMENDMENTS, AND ONE OVERSIGHT REPORT**

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations have until 6 p.m., Friday July 22, 1988, to file a report on S. 328, Prompt Pay Act Amendments, and one oversight report.

The SPEAKER. pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Texas?

Mr. MICHEL. Mr. Speaker, reserving the right to object, do I understand the gentleman from Texas made two routine requests for filing of reports?

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Texas.

Mr. BROOKS. I thank the gentleman for yielding.

Mr. Speaker, the gentleman is correct.

Mr. MICHEL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

**PERMISSION FOR COMMITTEE ON ENERGY AND COMMERCE TO HAVE UNTIL 5 P.M. THURSDAY, JULY 21, 1988, TO FILE REPORTS ON H.R. 4757, AIDS COUNSELING AND TESTING, H.R. 4850, AIDS RESEARCH, AND H.R. 4660, MEDICAL DEVICES**

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce have until 5 p.m. on Thursday, July 21, 1988, to file its reports on H.R. 4757 (AIDS counseling and testing), H.R. 4850 (AIDS research), and on H.R. 4640 (medical devices).

Mr. Speaker, this request has been cleared with the minority.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. MICHEL. Mr. Speaker, reserving the right to object, may I inquire of the distinguished gentleman, has he cleared that on our side?

Mr. WAXMAN. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from California.

Mr. WAXMAN. I thank the gentleman for yielding.

Mr. Speaker, the answer is "yes."

Mr. MICHEL. Would the gentleman be good enough to repeat the titles?

Mr. WAXMAN. If the gentleman will yield further, H.R. 4757 is AIDS counseling and testing, H.R. 4850 is

AIDS research, and H.R. 4640 is medical devices.

Mr. MICHEL. This is just filing of the reports, is that not correct?

Mr. WAXMAN. The gentleman is correct.

Mr. MICHEL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

**LEGISLATIVE PROGRAM**

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, I request this time for the purpose of inquiring of the distinguished majority leader, the gentleman from Washington [Mr. FOLEY] of the program for the balance of this day, before our recess, and then if he would be good enough to enlighten us on what the program will be when we return after the Democratic Convention.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I would be pleased to yield to the distinguished majority leader.

Mr. FOLEY. I appreciate the gentleman yielding.

Mr. Speaker, we will take up shortly, by unanimous consent, consideration of the Helsinki Human Rights Day. I have been assured by the Committee on Foreign Affairs on both sides that this will require only a very few minutes of consideration.

Following that, we will take up the rule, only, on H.R. 4519, the Arizona/Florida land exchange bill. Following the adoption of that rule, Members will, I think, be assured that there will be no further legislative votes for the day or the week.

Because many Members anticipated the possibility of the consideration of H.R. 5026 introduced by the distinguished gentleman from Mississippi [Mr. WHITTEN], the chairman of the Committee on Appropriations, to provide for certain dire emergency supplemental appropriations for the fiscal year ending September 30, 1988, and for other purposes, Members should be advised that that will not be considered because it was not possible to obtain clearance to bring the bill to the floor. We were advised that objection would be made.

I think when we return from our recess, the Democratic National Convention/district work period recess which commences today and concludes on Tuesday, July 26, the House not being in session on Monday, July 25, we will meet at noon and consider 15 bills under suspension of the rules. Recorded votes on these suspensions will be postponed until after the debate on all of the suspensions but will take

place on Tuesday, July 26. I will repeat that: We will not postpone votes until the next day, we will take all votes ordered on the 26th of July, Tuesday, at the end of the debate on those suspensions. So Members should be advised that the come-back day of Tuesday, July 26, may involve a number of recorded votes.

There are 15 bills under suspension of the rules to be considered that day:

H.R. 4741, Veterans' Compensation Amendments of 1988;

H.R. 4675, to extend drug abuse prevention activities under the Domestic Volunteer Service Act;

H.R. 4676, to extend the Temporary Child Care for Handicapped Children and Crisis Nurseries Act of 1986;

H.R. 4726, to designate the Dan Daniel Post Office Building;

H.R. 4574, Federal Employees Cost Savings Awards Act;

H.R. 4030, to strengthen certain fish and wildlife laws;

H.R. 4208, Marine Protection Authorization Act;

H.R. 4124, Atlantic Striped Bass Conservation Act authorization;

H.R. 4054, Inspector General Act Amendments of 1988;

S. 328, Prompt Payment Act Amendments of 1987;

S. Con. Res. 95, to express the sense of Congress with respect to the denial of health insurance coverage for disabled adopted children;

H.R. 3313, to establish the Heritage Preservation Commission;

H.R. 1982, to establish the Lewis and Clark National Historic Site in Montana;

H.R. 3541, to redesignate Salinas National Monument in New Mexico; and

H.R. 4457, to create a national park at Natchez, MS.

On Wednesday, July 27, the House will meet at 10 a.m. and consider H.R. 4519, the Arizona/Florida land exchange, complete consideration; H.R. 1516, Tongass Timber Reform Act, open rule, 1½ hours of debate, and H.R. 3964 to establish a National Park System Review Board, open rule, 1 hour of debate.

On Thursday, the House will meet at 10 a.m. and consider H.R. 5015, the Drought Assistance Act of 1988, subject to a rule.

On Friday, the 29th of July, as previously announced, the House will not be in session.

It is also important for Members to note the possibility of the consideration, in fact I would think the likelihood of the consideration of H.R. 5026 or some other urgent supplemental appropriations bill for the week of July 26. And that will be given priority in the consideration of the schedule. And it may displace other items previously announced in the order of consideration on the floor. So it will not be considered on Tuesday but it may be

considered on any subsequent day of the week.

Of course, this announcement is made subject to the usual reservations that other changes in the program may be announced later and conference reports may be brought up at any time.

Mr. MICHEL. Mr. Speaker, I thank the gentleman for his response and I know that there was a desire on the part of some to bring up an urgent supplemental at this time.

It is my feeling that in checking with some of those areas where they are probably on the margin with respect to payments, in the black lung area or trade assistance, that the Office of Management and Budget tells me there is adequate funding for at least the end of the month so that it may very well be by the time we return from your convention it will be all that urgent to take it up immediately.

I think Members will appreciate having more notice and since the distinguished chairman of the Committee on Appropriations is on the floor, that we do have a little bit of advance notice on specifically what is going to be included in a so-called urgent supplemental, that it not be a Christmas tree, that it really be what we would consider to be an urgent supplemental.

Mr. GINGRICH. Mr. Speaker, will the gentleman yield to me?

Mr. MICHEL. I yield to the gentleman from Georgia.

Mr. GINGRICH. I thank the gentleman for yielding.

Mr. Speaker, I just want to say to my very distinguished friends, the majority leader and to all of my colleagues who are Democrats that I know occasionally I have raised a brief spirit of partisanship on this floor. But you are coming to Atlanta next week. I want to urge all of you to have a wonderful time.

I have, because I have consulted with some of my good friends who are Democrats, as one of the hosts, I am leaving to insure that you do not have to worry about me for the whole week.

I hope you have a great time and enjoy the city.

Mr. MICHEL. Well, the gentleman stole my thunder a little bit because as we would conclude this exchange, Mr. Speaker, with tongue in cheek I would obviously want to wish both you and the distinguished Speaker and majority leader and all the Members on the other side of the aisle a very smooth, harmonious convention, and with the expectation that you treat your criticism with good nature of those who abide on this side of the aisle and I know you will do that.

Mr. FOLEY. If the gentleman will yield, I want to thank the distinguished Republican leader for his good wishes on our convention which will mark the beginning of a successful

campaign of the Democratic Party to achieve the Presidency of the United States in 1988.

But we understand that you are having some such meeting later on in New Orleans and even though it will probably be ineffectual, we are going to wish you well at the time.

Mr. MICHEL. I thank the distinguished gentleman.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield to me?

Mr. MICHEL. I yield to the gentleman from Mississippi [Mr. WHITTEN], the chairman of the Committee on Appropriations.

Mr. WHITTEN. I thank the gentleman for yielding.

Mr. Speaker, may I assure the gentleman that what we have in this bill which we hope to consider, H.R. 5026, limits itself to those areas where there are dire emergencies; it is limited to the budget requests from the White House and it is also tied to existing law. We have protected ourselves from these allegations of this Christmas tree business on the bill.

We will take this bill to the committee under the present agreements and I will do my best to hold back add-on's.

May I say further that there is a dire necessity to take care of those things that are closing down now and we hope to get it by the 1st of August.

On the other items we will develop a separate bill which will be considered in the regular order.

But again, this bill, H.R. 5026, is within the law, it has been requested by the White House and it responds to those items that are closed down at the moment. So we hope they can continue these programs until the first of August. But it is clean as it stands.

Mr. MICHEL. Mr. Speaker, I thank the distinguished chairman.

Mr. FOLEY. Mr. Speaker, will the gentleman yield further?

Mr. MICHEL. I yield to the gentleman from Washington.

Mr. FOLEY. I thank the distinguished leader for yielding.

I would only say, I understand the gentleman's concern about the consideration of notice on the bill and so on. I would not want his statements to be taken as suggesting that we agree that there is time to take up these matters. We feel there is a very urgent need but unfortunately, we could not come to agreement on it, we could not get permission to bring up the bill.

Mr. MICHEL. Mr. Speaker, I yield back the balance of my time.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JULY 27, 1988

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, July 27, 1988.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

#### AUTHORIZING THE SPEAKER TO ACCEPT RESIGNATIONS, AND TO APPOINT COMMISSIONS, BOARDS, AND COMMITTEES, NOTWITHSTANDING ADJOURNMENT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the house until Tuesday, July 26, 1988, the Speaker be authorized to accept resignations, and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

□ 1530

#### HELSINKI HUMAN RIGHTS DAY

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs and the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 338) to designate August 1, 1988, as "Helsinki Human Rights Day," and ask for its immediate consideration in the House.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Florida?

Mr. BROOMFIELD. Mr. Speaker, reserving the right to object, I yield to the gentleman from Florida [Mr. FASCELL] to explain the resolution.

Mr. FASCELL. Mr. Speaker, I rise in support of Senate Joint Resolution 338, which designates August 1, 1988, the 13th anniversary of the signing of the Helsinki Final Act, as "Helsinki Human Rights Day." This resolution is identical to House Joint Resolution 589 which was introduced last month by the distinguished Chairman of the Helsinki Commission, Mr. HOYER, and cosponsored by 125 of our colleagues. The resolution passed the other body unanimously on July 8, 1988.

Senate Joint Resolution 338 acknowledges the inherent link between respect for human rights and the attainment of genuine peace embodied in the Helsinki Final Act, which was signed in 1975 by the United States, Canada, the Soviet Union, and 32 European nations. It calls upon the President to continue U.S. efforts to achieve full implementation of the human rights and humanitarian provisions of the final act by raising, at every available opportunity, the issue of noncompliance with the governments of the Soviet Union and the countries of Eastern Europe.

In particular, the resolution calls for the release of all political prisoners, a significant increase in Soviet emigration, the resolution of



all family reunification cases, the cessation of all radio jamming, and the repeal of laws, procedures, and practices which undermine respect for human rights, before the conclusion of the ongoing Vienna meeting, which, since 1986, has been reviewing implementation of the Helsinki Final Act. The President is further requested to seek the inclusion, in any concluding document of the Vienna review meeting, a mechanism to assure that human rights progress is sustained in the period between the conclusion of the Vienna meeting and the next review meeting and to convey to the other signatory States the United States insistence on a balanced result at the Vienna meeting that does not favor military security at the expense of human rights.

Mr. Speaker, for the last 5 years, the Congress has adopted a resolution designating August 1 as Helsinki Human Rights Day. This action provides an opportunity for us to reaffirm our commitment to full implementation of the Helsinki accords, especially the human rights and humanitarian provisions, and to publicly demonstrate to the Soviets and others our continued concern about violations of human rights. I commend the author of the resolution in the House, a great champion of human rights, Mr. HOYER, for his leadership in this important field. I also comment Mr. FORD, the distinguished chairman of the Post Office and Civil Service Committee, to whom this resolution was also referred, for agreeing to waive jurisdiction over the resolution so that we might bring it up today. I urge immediate passage of Senate Joint Resolution 338.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. BROOMFIELD. I am happy to yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in very strong support of the adoption of this Senate joint resolution.

Mr. Speaker, as chairman of the Helsinki Commission, I rise in support of Senate Joint Resolution 338, legislation designating August 1, 1988, Helsinki Human Rights Day. This resolution commemorates the 13th anniversary of the signing of the Helsinki accords and reaffirms the commitment of the United States to the principles the accords embody. This resolution was introduced by the distinguished co-chairman of the Helsinki Commission, DENNIS DECONCINI, and unanimously passed the Senate. In addition, I have introduced identical legislation, House Joint Resolution 589, along with the other eight House Members of the Helsinki Commission as well as 117 of my colleagues.

The Helsinki accords were signed on August 1, 1975 by the 33 European nations as well as the United States and Canada. The accords cover many aspects of East-West relations ranging from military security and scientific and cultural exchanges to human rights and human contacts.

It is important for us to commemorate this landmark agreement. Senate Joint Resolution 338 demonstrates that this country is dedicated to furthering the goals that were established 13 years ago. Oppressed people in many countries look to us to help them live a

free and open life. We cannot and will not let them down. This resolution specifically calls on President Reagan to continue our country's efforts in seeking full implementation of the accords, and endorses the work being done at the Vienna review meeting. In addition, the resolution asks the President to convey to the signatory States the insistence of the United States for a balanced result at the Vienna meeting that will not favor military security at the expense of human rights.

Since November 1986, representatives of the 35 nations have been participating in the Vienna review meeting which has enabled the United States delegation to raise specific areas of noncompliance with the accords by the signatory nations. Human rights and human contacts issues raised by the United States delegation include the release of all Soviet political prisoners; an increase in emigration; the resolution of all family reunification cases; the cessation of all radio transmission jamming; and the repeal of laws, procedures, and practices which undermine human rights. The raising of these human rights issues puts those in violation on notice that we intend to seek progress in all three baskets of the Helsinki Final Act—that all three areas are interrelated and progress in one area will not be overshadowed by lack of progress in others.

In that regard, Mr. Speaker, at the end of May, President Reagan stopped in Helsinki on his way to the Moscow summit. There he spoke in the hall where the Helsinki Final Act was signed and reaffirmed our Nation's commitment to the Helsinki process, exactly what this legislation is doing. The President stated that the process is important as "the Final Act reflects the belief of all our countries that human rights are less likely to be abused when a nation's security is in less doubt; that economic relations can contribute to security, but depend on the trust and confidence that come from increasing ties between our peoples, increasing openness and increasing freedom; and that there is not true international security without respect for human rights."

Mr. Speaker, I urge my colleagues to support this resolution. By establishing August 1, 1988 as "Helsinki Human Rights Day," we reaffirm America's commitment to the ideals and goals set forth in the Helsinki Final Act. In supporting the Helsinki accords we are not only helping to protect our own security, but just as importantly, we are helping those who do not share the freedom and fundamental human rights that we enjoy.

Mr. GILMAN. Mr. Speaker, will the gentleman yield?

Mr. BROOMFIELD. Reserving the right to object, Mr. Speaker, I yield to the gentleman from New York for a brief comment.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of this Senate joint resolution, designating August 1, 1988, as "Helsinki Human Rights Day." I want to commend the gentleman from Maryland [Mr. HOYER] for his outstanding work and efforts as part of the Commission which conducts the oversight of the Helsinki accords, and I call to my colleagues' attention the importance of

this measure that guarantees human rights among the 35 signatory countries.

Mr. Speaker, I rise in strong support of the House Joint Resolution 589 which designates August 1, 1988, "Helsinki Human Rights Day." It was an historic day, some 13 years ago, when 35 nations, including the Soviet Union and the United States, signed the Helsinki Final Act. This important document contains provisions relating to family unification rights, religious freedom, as well as the right of individuals to travel between signatory nations for many purposes. The Helsinki Act is the cornerstone of human rights activity in the Soviet Union, a nation politically and religiously suppressed for so many years. Ad hoc Helsinki monitoring groups which were created throughout the Soviet Union in order to monitor compliance were summarily eliminated as their leaders were arrested or exiled.

With the advent of glasnost there seems to be some easing of the plight of dissidents and religious activities, including Soviet Jews and Pentacostals. We know, however, that glasnost is not specifically targeted at these people. They are merely experiencing some of its side effects. The struggle for human rights and human dignity continues as never before. The number of Soviet Jews granted emigration permits has risen since 1986. But this still contrasts sharply with the more than 50,000 permitted to emigrate in 1979. Although many Soviet Jewish prisoners of conscience have been released, it behooves us to remember that those who were incarcerated should never have been arrested in the first place.

The Helsinki Final Act is an important document that reminds its signatories of the need to respect the inalienable right of freedom. Indeed, we are all our brother's keeper. Accordingly, passage of House Joint Resolution 589, proclaiming August 1, 1988, "Helsinki Human Rights Day" in honor of the 13th anniversary of the signing of this accord, should be adopted unanimously in this body, and furthermore, should be commemorated in an appropriate manner by us all.

Mr. Speaker, I commend the distinguished gentleman from Maryland [Mr. HOYER] for his work and effort as part of the Commission that conducts oversight on the Helsinki accords. The Commission on Cooperation and Security in Europe has made significant progress in keeping this issue before our Nation, and before the world.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. BROOMFIELD. Mr. Speaker, reserving the right to object, I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this resolution, and may I say that I do so this year without as strong a reservation as I have held in the past. In past years I have noted that our annual passage of a "Helsinki Human Rights Day" resolution has become an exercise in futility. But I must say that there are some glimmerings of hope this year—for the first time

since the Helsinki Final Act was signed in 1975.

I do not expect any kind of millennial awakening in the Soviet Union and Eastern Europe: The Communist masters of those countries have not abandoned their Marxist ideology, a philosophy of life which is the most reactionary model for political and social development that mankind has ever developed. No, the leopard has not changed his spots.

But for the first time in history there does seem to be a leader in the Soviet Union who says he can recognize the terrible toll in human suffering that 71 years of unrelieved repression have caused. After 71 years of living under so-called scientific socialism, the people in the Soviet Union are showing alarming signs of biological exhaustion. And as Mr. Gorbachev grapples with the problem of getting better economic production from a nation of alcoholics, he recognizes that some reforms have to be made.

And so there is a glimmering of hope this year—a small sign that the Soviet Union may actually start living up to some of the terms in the Helsinki Final Act. It has been a long time in coming—but better late than never.

And for our part, we must keep the pressure up—through resolutions of this type, as well as the kind of face-to-face challenges that President Reagan used at the Moscow Summit. He placed human rights squarely in the center of the United States-Soviet dialogue—let's keep it there.

**Mr. MFUME.** Mr. Speaker, will the gentleman yield?

**Mr. BROOMFIELD.** I yield to the gentleman from Maryland.

**Mr. MFUME.** Mr. Speaker, I rise in strong support of the Senate joint resolution.

**Mr. BROOMFIELD.** Mr. Speaker, as we approach the 13th anniversary of the signing of the Helsinki accords, it is most fitting that we join the Senate and pass Senate Joint Resolution 338 to again designate August 1 as "Helsinki Human Rights Day." By so doing, we reaffirm the commitment this Nation made 13 years ago to the observance of human rights, and to continuing to seek full compliance of the accords by all of the signatories.

The signatory nations have pledged to adhere to the principles of human rights and fundamental freedoms as embodied in the Helsinki accords. However, when we look at the human rights realities in many of these same nations, we clearly see how much more has to be done in the closed societies of Eastern Europe and the Soviet Union to meet the principles discussed in the Helsinki accords.

Under General Secretary Gorbachev's policy of glasnost we are witnessing important and hopefully lasting changes in the Soviet Union. However, we also see political prisoners—including Helsinki monitors—still being held, family reunification cases still being ignored, emigration, especially for Soviet Jews, still being blocked, and laws and procedures that undermine the exercise of human rights still being followed.

The Soviet allies of the Eastern bloc are equally guilty of similar violations of the Helsinki accords. For instance, in Poland this past spring, we saw the harsh and oppressive reaction of the government as it responded to legitimate demands of solidarity to be recognized as a labor union, and to have the wages of the workers increased to help meet the higher costs of Poland's inflation. And in Yugoslavia, we continue to hear of the harsh measures against the ethnic Albanian-Yugoslavs.

It is clear that just because these countries joined the nations of the West in signing this historic accord, we cannot rest. We cannot put our concerns for the observance of human rights on the back burner.

**Mr. Speaker,** I urge my colleagues to approve Senate Joint Resolution 338, as a signal to all that this Nation has not forgotten the commitments we made in Helsinki 13 years ago, and that we continue to view the Helsinki Final Act, and its important human rights provisions, as a fundamental guide for all of us.

**Mr. FEIGHAN.** Mr. Speaker, I want to join my colleagues today in strong support of House Joint Resolution 589 which designates August 1, 1988, as "Helsinki Human Rights Day." I'd also like to take this opportunity to commend Representative STENY HOYER, the chairman of the (Helsinki) Commission on Security and Cooperation in Europe, for introducing this important legislation and for his outstanding leadership and hard work in improving human rights throughout the world.

Thirteen years ago, on August 1, 1975, the leaders of 33 nations signed the Helsinki Final Act, pledging to respect internationally recognized human rights and freedoms. Since that time, however, the Soviet Union and Eastern Europe have failed dismally to uphold these rights.

**Mr. Speaker,** as cofounder and cochair of the Lithuanian Catholic Religious Liberty Group in the House, I'd like to describe several cases in Lithuania which demonstrate the serious need for greater compliance with the Helsinki accords.

Bishop Julijonas Steponavicius has been in exile since 1961 in a remote town outside of his archdiocese, because he refused to collaborate with Soviet authorities. The Bishop, who is widely believed to be the secret Cardinal promoted by Pope John Paul II in 1979, has been prevented from exercising his religious duties and has not been allowed to attend religious festivals and funerals in recent years.

Two Lithuanian Catholic priests, Father Alfonsas Svarinskas and Father Sigitas Tamkevicius, have been persecuted for their religious beliefs as well. Father Svarinskas was ordained as a priest in a labor camp in 1954. He was arrested for a third time in 1983 and is currently in strict regime camp. Father Tamkevicius was arrested in 1983; one of the charges against him was organizing a Christmas party for parish youth. His prison term ended in May 1988 and he remains in internal exile until May 1990.

Human rights and religious activist Viktoras Petkus has been a political prisoner for 24 of the 57 years of his life. His most recent arrest and conviction followed 9 months after he

helped found the Helsinki Monitoring Group in Lithuania in 1976. He was transferred from Perm camp 37 to internal exile last August where he will remain until August 1992.

Balys Gajauskas has spent more than 35 years of his life in the Soviet gulag, longer than any known living political prisoner in the Soviet Union. He was last sentenced in 1977 for translating "Gulag Archipelago" and for disbursing aid to prisoners of conscience and their families. He was sent into internal exile in 1987 and will not be released until 1992.

We owe these brave people our support. It is both our moral and our legal obligation to work for their freedom. By supporting House Joint Resolution 589, we will be working toward that exact end.

**Mr. BROOMFIELD.** Mr. Speaker, I withdraw my reservation of objection.

**The SPEAKER pro tempore.** Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

#### S.J. RES. 338

Whereas August 1, 1988, will be the thirtieth anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe (hereafter in this preamble referred to as the "Helsinki accords");

Whereas on August 1, 1975, the Helsinki accords were agreed to by the Governments of Austria, Belgium, Bulgaria, Canada, Cyprus, Czechoslovakia, Denmark, Finland, France, the German Democratic Republic, the Federal Republic of Germany, Greece, the Holy See, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, the Netherlands, Norway, Poland, Portugal, Romania, San Marino, Spain, Sweden, Switzerland, Turkey, the Union of Soviet Socialist Republics, the United Kingdom, the United States of America, and Yugoslavia;

Whereas the participating States have committed themselves to balanced progress in all areas of the Helsinki accords;

Whereas the Helsinki accords recognize the inherent relationship between respect for human rights and fundamental freedoms and the attainment of genuine security;

Whereas the Helsinki accords express the commitment of the participating States to "recognize the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and cooperation among themselves as among all States";

Whereas the Helsinki accords also express the commitment of the participating States to "respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion";

Whereas the Helsinki accords also express the commitment of the participating States to "promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development";

Whereas the Helsinki accords also express the commitment of the participating States



to "recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience";

Whereas the Helsinki accords also express the commitment of the participating States on whose territory national minorities exist to "respect the right of persons belonging to such minorities to equality before the law" and that such States "will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will in this manner, protect their legitimate interest in this sphere";

Whereas the Helsinki accords also express the commitment of the participating States to "constantly respect these rights and freedoms in their mutual relations"; and that such States "will endeavor jointly and separately, including in cooperation with the United Nations, to promote universal and effective respect for them";

Whereas the Helsinki accords also express the commitment of the participating States to "conform the right of the individual to know and act upon his rights and duties in this field";

Whereas the Helsinki accords also express the commitment of the participating States in the field of human rights and fundamental freedoms to "act in conformity with the purposes and principles of the Charter of the United Nations and with the Universal Declaration of Human Rights" and to fulfill their obligations as set forth in the international declarations and agreements in this field, including inter alia the International Covenants on Human Rights, by which they may be bound";

Whereas the Helsinki accords by incorporation also express the commitment of the participating States to guarantee the right of the individual to leave his own country and return to such country;

Whereas the Helsinki accords also express the commitment of the participating States to "facilitate freer movement and contacts, individually and collectively, whether privately or officially, among persons, institutions and organizations of the participating States, and to contribute to the solution of the humanitarian problems that arise in that connection";

Whereas the Helsinki accords also express the commitment of the participating States to "favorably consider applications for travel with the purpose of allowing persons to enter or leave their territory temporarily, and on a regular basis if desired, in order to visit members of their families";

Whereas the Helsinki accords also express the commitments of the participating States to "deal in a positive and humanitarian spirit with the applications of persons who wish to be reunited with members of their family" and "to deal with applications in this field as expeditiously as possible";

Whereas the Helsinki accords also express the commitments of the participating States to "examine favorably and on the basis of humanitarian consideration requests for exit or entry permits from persons who have decided to marry a citizen from another participating State";

Whereas the Helsinki accords also express the commitments of the participating States to "facilitate wider travel by their citizens for personal or professional reasons";

Whereas the Helsinki accords also express the commitment of the participating States to "facilitate the freer and wider dissemination of information of all kinds, to encourage cooperation in the field of information

and the exchange of information with other countries";

Whereas the Governments of the Union of Soviet Socialist Republics, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, and Romania, in agreeing to the Helsinki accords, have made a commitment to adhere to the principles of human rights and fundamental freedoms as embodied in the Helsinki accords;

Whereas, despite some limited improvements, the aforementioned Governments have failed to implement their obligations under Principle VII of the Helsinki accords to respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief;

Whereas, despite some limited improvements, the aforementioned Governments have failed to implement their obligations under Basket III of the Helsinki accords to promote free movement of people, ideas and information;

Whereas representatives from the signatory States are convened in Vienna to review implementation and address issues of compliance with the human rights and humanitarian provisions of the Helsinki accords; Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—*

(1) August 1, 1988, the thirteenth anniversary of the signing of the Helsinki accords is designated as "Helsinki Human Rights Day";

(2) the President is authorized and requested to issue a proclamation reasserting the American commitment to full implementation of the human rights and humanitarian provisions of the Helsinki accords, urging all signatory nations to abide by their obligations under the Helsinki accords, and encouraging the people of the United States to join the President and Congress in observance of the Helsinki Human Rights Day with appropriate programs, ceremonies, and activities;

(3) the President is further requested to continue his efforts to achieve full implementation of the human rights and humanitarian provisions of the Helsinki accords by raising, with the Governments of the Soviet Union, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, and Romania, the issue of their noncompliance at every available opportunity;

(4) the President is further requested to convey to all signatories of the Helsinki accords that respect for human rights and fundamental freedoms is a vital element of further progress in the ongoing Helsinki process;

(5) the President is authorized to convey to allies and friends of the United States that unity on the question of respect for human rights and fundamental freedoms is an essential means of promoting the full implementation of the human rights and humanitarian provision of the Helsinki accords;

(6) the President is requested to continue his efforts to achieve before the end of the Vienna meeting the release of all political prisoners of the Soviet Union, including Helsinki monitors, a significant increase in Soviet emigration, the resolution of all family reunification cases, the cessation of all radio transmission jamming, and the repeal of laws, procedures, and practices which undermine human rights;

(7) the President is further requested to seek the inclusion, in any concluding docu-

ment agreed to in Vienna, of a mechanism to assure that human rights progress is sustained following the conclusion of the Vienna meeting; and

(8) the President is further requested to convey to signatory States the insistence of the United States for a balanced result at the Vienna meeting that will not favor military security at the expense of human rights.

Sec. 2. The Secretary of the Senate is directed to transmit copies of this joint resolution to the President, the Secretary of State, and the Ambassadors of the thirty-four Helsinki signatory nations.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate joint resolution just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 4519 ARIZONA-FLORIDA LAND EXCHANGE ACT OF 1988

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 493 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 493

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4519) to provide for the disposition of certain lands in Arizona under the jurisdiction of the Department of the Interior by means of an exchange of lands, and for other purposes and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one and one-half hours, with forty-five minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, with fifteen minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Veterans' Affairs, with fifteen minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, and with fifteen minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider an amendment in the nature of a substitute consisting of the text of the bill H.R. 5012 as an original bill for the purpose of amend-

ment under the five-minute rule, said substitute shall be considered by title instead of by section and each title shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of section 303(a)(91) of the Congressional Budget Act of 1974, as amended (Public Law 93-344, as amended by Public Law 99-177), and clause 5(a) of rule XXI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. LATTI] and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 493 is an open rule providing for the consideration of H.R. 4519, the Arizona-Florida Land Exchange Act of 1988. The rule provides for 1½ hours of general debate. Forty-five minutes is allocated to the Interior Committee, and 15 minutes each is allocated to the Committees on Veterans' Affairs, Education and Labor, and Merchant Marine and Fisheries, with the time divided between the chairman and ranking minority member of each committee. The rule makes in order an amendment in the nature of a substitute consisting of the text of H.R. 5012, to be considered as original text for purpose of amendment. The rule provides that the substitute shall be considered by title, with each title considered as having been read. The rule also waives section 303(a)(1) of the Budget Act and clause 5(a) of rules XXI against the substitute. Section 303(a)(1) of the Budget Act prohibits the consideration of legislation providing new budget authority for a fiscal year prior to the adoption of the budget resolution for that fiscal year. Clause 5(a) of rule XXI prohibits appropriations in legislative bills. These waivers are necessary because H.R. 4519 provides, as one option for achieving the desired land exchange, that the Department of the Interior may use funds derived from the sale of Government owned land in Phoenix to purchase land in Florida and for other purposes. Providing that authority to use the funds constitutes an appropriation and, since under the anticipated timetable for the land transactions the funds would not be obligated for 2 or 3 years, the appropriation is

for a year for which the budget resolution has not yet been adopted. I should point out that this provision will not adversely affect the Federal deficit since the funds for the Florida land would be provided by the proceeds from the Arizona land sale. Finally, Mr. Speaker, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, this legislation is intended to facilitate a land transaction negotiated by the Department of the Interior that will allow the Department to dispose of property in Phoenix currently occupied by an Indian school scheduled for closure and obtain title to environmentally sensitive land that can be added to a wildlife refuge and national preserves in Florida. This could be accomplished either through a land exchange and cash payment or through a straight sale of the Phoenix land and purchase of the Florida land.

This resolution is a simple open rule that gives full opportunity for the House to consider the authorities granted in this legislation. I urge adoption of the rule.

Mr. LATTI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it should be noted that not everyone is in favor of this bill. The report of the Committee on Interior and Insular Affairs contains dissenting views signed by three Democrat members of the committee.

In addition, the administration has stated that although it supports congressional ratification of the Phoenix Indian School Land Exchange Agreement that is the primary subject of H.R. 4519, it strongly opposes the bill's earmarking of \$34.9 million in land value equalization payments to two trust funds for the educational needs of members of the Arizona Indian community.

The administration points out that these educational needs have already been met in large part by the expenditure of over \$35 million in Federal funds to construct new on-reservation high schools in Arizona to replace the Phoenix Indian School. Any additional needs should be met through the normal appropriations process, according to the administration. This would allow those needs to be evaluated against other demands for Federal funds, including the educational needs of other Indian tribes and ensure the best use of scarce resources in the current budgetary situation.

Mr. Speaker, since this is an open rule allowing the House to make any necessary improvements in the bill, I support the rule so that the House may proceed to consider the Arizona-Florida Land Exchange Act.

Mr. DERRICK. Mr. Speaker, for the purposes of debate only, I yield 3 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I do not often disagree with the gentleman from Arizona, Mr. MO UDALL. He and I have been friends for 30 years, and generally we vote alike. But I do disagree with him on this bill. I think it is a terrible bill, one which would enrich a private developer at the expense of the American taxpayers, and I propose to vote against this rule.

This rule would make in order a bill that validates a cozy, private, preferential deal negotiated by the Secretary of the Interior and a private developer, the Collier Co. There is no need for this land swap. As a land swap, the Federal Government will lose anywhere from \$50 to \$100 million that it could well receive if this were an outright sale of the property involved in a competitive bidding situation.

The property involved is over 100 acres in a huge tract in downtown Phoenix, AZ. It has been an Indian school since 1891. There is no need for it anymore, and if it is going to be sold, it should be the subject of a competitive bidding sale.

Why should only one bidder be allowed to buy it? Can we imagine what the bidding would be like if this were put on the open market and opened to competitive bidding?

It will be said that there is time for other bidders to get in, that 90 days will be allowed for that. There will be no way for outside bidders to come in because the city government of Phoenix, AZ, has not indicated what its plans are for permitting the zoning of this piece of property.

I think it is a sweetheart deal. I think it ought to be killed. I think the property should be sold on the open market. The Collier Co., which is the developer involved, is being given full appraised value for its Florida land, and it could not receive more for that land if it were to sell it to the Federal Government.

For all these reasons, Mr. Speaker, I oppose the rule and I oppose the bill.

Mr. DERRICK. Mr. Speaker, for the purposes of debate only, I yield 2 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Speaker, I am pained and sorrowed to hear my good friend of 30 years' standing, the gentleman from Illinois, Mr. SID YATES, attack a sale that has been as thoroughly studied and as completely analyzed as this one.

The administration started this. We did not start it out in Arizona. The administration brought forth this proposal. The national conservation people are terribly interested in saving the Everglades, and here, at a time of very bad budgeting considerations, we can save 130,000 acres, which may make the Everglades the "Big Thicket" of Florida, the crucial areas, the



water-gathering areas of northern Florida. It could save them.

This does some good for Indians at long last. The Indians have had shabby treatment in most places, including Arizona. A big chunk of the proceeds of this land sale, about a third of it, will go to the Indian tribes.

Let me get to the ultimate answer to this argument that we will hear about in general debate when we return. We were aware of the difficulty of appraising a piece of land this size in the middle of a big city. We tried two or three appraisals, and nobody was satisfied with them. The bill provides that after this arrangement goes through, it will be open for public bid for 90 days. If this big bonanza is sitting out there to be had for \$100 million, \$107 million, whatever the figure is, they will be able to come in and offer another million dollars and run off with the booty.

So I will say to my friend, the gentleman from Illinois [Mr. YATES] that the idea that some big speculator is getting a windfall profit or a great reward at the expense of the taxpayers is simply not true. We sent out some "Dear Colleagues," and I hope the Members will read them. This is not true, this is not right, and I hope we will address this subject more fully when we get to general debate.

□ 1545

Mr. DERRICK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. YATES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent members.

The vote was taken by electronic device, and there were—yeas 272, nays 86, not voting 73, as follows:

[Roll No. 236]

YEAS—272

Akaka	Bonior	Clarke
Andrews	Bonker	Clement
Annunzio	Borski	Clinger
Anthony	Bosco	Coelho
Armey	Boucher	Coleman (MO)
Atkins	Brennan	Coleman (TX)
AuCoin	Brooks	Collins
Baker	Brown (CA)	Combust
Barton	Brown (CO)	Conte
Bateman	Bruce	Conyers
Bates	Byron	Cooper
Bellenson	Callahan	Coyne
Bennett	Campbell	Craig
Bereuter	Cardin	Darden
Bevill	Carper	Daub
Bilbray	Carr	Davis (MI)
Billakis	Chandler	de la Garza
Boehlert	Chapman	Derrick
Boggs	Chappell	DeWine

Dicks	Lagomarsino	Richardson
Dixon	Lancaster	Rinaldo
Donnelly	Lantos	Ritter
Dorgan (ND)	Latta	Roberts
Downey	Leath (TX)	Robinson
Dymally	Lehman (CA)	Roe
Dyson	Lehman (FL)	Rose
Early	Lent	Rostenkowski
Edwards (CA)	Levin (MI)	Rowland (CT)
Edwards (OK)	Levine (CA)	Sabo
Emerson	Lewis (GA)	Saiki
English	Lipinski	Sawyer
Erdreich	Livingston	Saxton
Espy	Lowery (CA)	Schaefer
Fascell	Lukens, Thomas	Schneider
Fazio	Lukens, Donald	Schroeder
Feighan	Mack	Schuetz
Fish	Manton	Schulze
Flake	Markey	Sharp
Foley	Martin (NY)	Shaw
Ford (MI)	Martinez	Shays
Ford (TN)	Matsui	Skeen
Gallegly	Mazzoli	Skelton
Garcia	McCandless	Slattery
Gejdenson	McCloskey	Slaughter (VA)
Gekas	McCollum	Smith (FL)
Gephardt	McCrery	Smith (NE)
Gibbons	McDade	Smith (NJ)
Gingrich	McEwen	Smith (TX)
Glickman	McGrath	Smith, Denny
Gonzalez	McMillan (NC)	(OR)
Goodling	McMillen (MD)	Smith, Robert
Gordon	Meyers	(OR)
Gradison	Mfume	Snow
Grant	Miller (OH)	Solarz
Guarini	Miller (WA)	Spratt
Hall (TX)	Mineta	Staggers
Hamilton	Mollohan	Stallings
Hammerschmidt	Montgomery	Stangeland
Hansen	Moody	Stark
Harris	Moorhead	Stenholm
Hayes (IL)	Morella	Stokes
Hefner	Murtha	Stratton
Hertel	Myers	Studds
Hochbrueckner	Nagle	Stump
Holloway	Natcher	Swift
Hopkins	Neal	Tallon
Horton	Nelson	Tauzin
Houghton	Nielson	Thomas (GA)
Hoyer	Nowak	Torres
Hubbard	Oakar	Towns
Huckaby	Oberstar	Udall
Hunter	Olin	Upton
Hyde	Ortiz	Valentine
Inhofe	Owens (NY)	Vander Jagt
Ireland	Owens (UT)	Vento
Jacobs	Oxley	Visclosky
Jenkins	Packard	Volkmer
Johnson (CT)	Panetta	Vucanovich
Johnson (SD)	Parris	Walgren
Jones (NC)	Pashayan	Watkins
Jones (TN)	Patterson	Weber
Kaptur	Pease	Weldon
Kasich	Penny	Wheat
Kemp	Pepper	Whittaker
Kennedy	Perkins	Whitten
Kildee	Pickle	Wilson
Klecza	Porter	Wise
Kolbe	Price	Wolf
Kolter	Rahall	Wortley
Kostmayer	Rangel	Young (FL)
Kyl	Ray	
LaFalce	Rhodes	

NAYS—86

Archer	DioGuardi	Herger
Badham	Dornan (CA)	Hiler
Bartlett	Dreier	Jontz
Bentley	Durbin	Kanjorski
Berman	Eckart	Kastenmeier
Billey	Evans	Leland
Boxer	Fawell	Lewis (CA)
Broomfield	Fields	Lightfoot
Buechner	Foglietta	Lowry (WA)
Bunning	Frank	Lungren
Burton	Frenzel	McCurdy
Coats	Gilman	McHugh
Coble	Grandy	Michel
Coughlin	Gray (PA)	Miller (CA)
Courter	Green	Molinar
Crane	Gunderson	Morrison (CT)
Dannemeyer	Hastert	Mrazek
DeFazio	Hawkins	Obey
DeLay	Hefley	Payne
Dellums	Henry	Pelosi

Petri	Schumer	Sweeney
Pursell	Sensenbrenner	Synar
Regula	Shumway	Tauke
Rogers	Sikorski	Thomas (CA)
Roth	Siskis	Walker
Roybal	Slaughter (NY)	Weiss
Russo	Smith, Robert	Wolpe
Savage	(NH)	Wyden
Scheuer	Solomon	Yates

NOT VOTING—73

Ackerman	Gray (IL)	Pickett
Alexander	Gregg	Quillen
Anderson	Hall (OH)	Ravenel
Applegate	Hatcher	Ridge
Aspin	Hayes (LA)	Rodino
Ballenger	Hughes	Roukema
Barnard	Hutto	Rowland (GA)
Biaggi	Jeffords	Shuster
Boland	Kennelly	Skaggs
Boulter	Konnyu	Smith (IA)
Bryant	Leach (IA)	Spence
Bustamante	Lewis (FL)	St Germain
Cheney	Lloyd	Sundquist
Clay	Lott	Swindall
Crockett	Lujan	Taylor
Davis (IL)	MacKay	Torricelli
Dickinson	Madigan	Traficant
Dingell	Marlenee	Traxler
Dowdy	Martin (IL)	Waxman
Dwyer	Mavroules	Williams
Flippo	Mica	Wylie
Florio	Moakley	Yatron
Frost	Morrison (WA)	Young (AK)
Gallo	Murphy	
Gaydos	Nichols	

□ 1604

Messrs. GRANDY, PURSELL, DURBIN, FRANK, and Ms. PELOSI changed their vote from "yea" to "nay."

Mr. KOSTMAYER changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. BATEMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on House Resolution 493, the resolution just agreed to.

The SPEAKER pro tempore (Mr. KANJORSKI). Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 335. Concurrent resolution providing for a conditional adjournment of the Congress; and

H. Con. Res. 338. Concurrent resolution directing the Clerk of the House of Representatives to make technical corrections in the enrollment of the bill H.R. 4264.

The message also announced that the Senate agrees to the report of the

committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4264), "An act to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes."

#### VACATING SPECIAL ORDER AND GRANTING REQUEST FOR SPECIAL ORDER

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to vacate my 60 minutes special order for today and that I may be permitted to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### VACATING SPECIAL ORDER AND GRANTING REQUEST FOR SPECIAL ORDER

Mrs. BENTLEY. Mr. Speaker, I ask unanimous consent to vacate my previous special order for 60 minutes, and that I may speak instead for 5 minutes today.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

#### CONGRATULATIONS TO GOLFER CURTIS STRANGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. BATEMAN] is recognized for 5 minutes.

Mr. BATEMAN. Mr. Speaker, I rise to call the attention of my colleagues to the fact that today at the Royal Lytham and St. Anne's Golf Club in England, a young man from my district will be participating in that competition for the British Open Gold Championship.

This young man named Curtis Strange, certainly not a strange name to anyone who follows the sport of golf, for it was just a little more than 2 weeks ago that this constituent won the U.S. Open Golf Tournament at the Country Club in Brookline, MA, in a playoff with a British golfer whose name was Nick Faldo. It was indeed an outstanding victory for Curtis Strange, one of many which he has won on the Professional Golf Association Tour with great and obvious skill, but won with tremendous grace under pressure, as he went through the regular playing on Sunday and into the 18-hole playoff on Monday.

Following his victory in the U.S. Open Tournament, Curtis Strange was

interviewed, and it was one of the most memorable interviews with a sports figure that I have ever seen and makes me extremely proud to have this young man as one of my constituents. In that interview, Curtis Strange dedicated his victory in the U.S. Open to his father, who taught him to play the game. In the course of that interview in language which was virtually poetic he made reference to the dreams of all the young people playing golf who in their practice would drop several balls to the ground and would say to themselves, "This one is Bobby Jones. This one is Sam Snead. This one is Arnold Palmer. This one is Jack Nicklaus."

I would say to my colleagues that in years to come because of his extraordinary accomplishments as a golfer and because of his style, his grace, and the kind of a person that he is, that future generations of young golfers when they drop their balls as they practice and imagine themselves in the footsteps of the greats of golf, that there will be a ball dropped and it will be called the ball of Curtis Strange.

I wish him well in his efforts to win the British Open Crown. I do not know how he is playing today. I suspect very, very well, because that is the style and the nature of Curtis Strange. I am sure that all my colleagues join me in congratulating him on his present crown as the U.S. Golf Open Championship and we can only wish him success in his endeavors this week.

#### STANDARDS FOR PRIVATE LONG-TERM CARE INSURANCE

The SPEAKER pro tempore (Mr. BROWN of California). Under a previous order of the House, the gentleman from California [Mr. STARK] is recognized for 5 minutes.

Mr. STARK. Mr. Speaker, today I am introducing legislation to provide for Federal and State standards for private long-term care policies.

Long-term care insurance policies, which were unknown a few years ago, have begun to proliferate. Currently, some 70 companies have entered the field.

Unlike Medicare supplemental insurance (MediGap) policies, which are regulated by Federal and State statutes, long-term care insurance policies are currently regulated only in a few States.

There is a need for Federal standards to prevent the same abuses which led the Congress to establish standards for MediGap policies in 1980. As the Congress learned in the early days of the development of MediGap insurance, the elderly are very vulnerable and can be frightened into buying duplicative or virtually useless policies.

Currently, some 2.3 million of the Nation's elderly are living in nursing homes. Thirty years from now that number will nearly double. Equal numbers of the elderly will also require long-term home and community based

care. Nursing home care now costs on average \$22,000 a year. By the year 2018, it will cost about \$55,000 if inflation stays at recent moderate rates.

Medicare pays only 2 percent of nursing home expenditures. Medicaid, the Federal program that finances health services for the indigent, currently pays almost half of the \$38 billion that goes for nursing home care. The other half of the \$38 billion comes out of the pockets of nursing home residents or their children.

As the number of those requiring long-term care and the costs grow, more and more individuals will seek to buy private long-term care insurance. It makes sense to develop the standards for regulating the sale of these policies while the long-term care insurance industry is still in its infancy.

Consumers Union, for example, reported in the May 1988 issue that it is now difficult to understand what is covered in the long-term care policies and who qualifies for the benefits. Even more, we should protect our Nation's seniors from the threat of fly-by-night insurance companies selling worthless policies.

The bill I am introducing establishes standards for long-term care insurance policies along the lines developed to regulate MediGap policies. These standards are commonly referred to as Baucus standards after Senator MAX BAUCUS, the chief sponsor of the legislation.

The General Accounting Office, in its report of October 1986, found that passage of the MediGap standards has encouraged States to adopt standards at least as stringent as the Federal standards. They also found that the Federal law had "resulted in more uniform regulation of MediGap insurance and increased protection for the elderly against substandard and overpriced policies."

My bill is designed along the same lines as the MediGap standards and should create the same impetus for States to better regulate long-term care insurance and protect senior citizens from worthless policies.

The important features of the bill include:

Minimum standards: The bill establishes standards for long-term care policies, requiring that they provide at least a minimum level of benefits, described below, and minimum expected loss ratios of 60 percent.

Like the MediGap amendment, which incorporated the National Association of Insurance Commissioners [NAIC] MediGap model act, my legislation incorporates most of the long-term care insurance model act and regulations developed by the NAIC. It also sets forth the same two procedures for determining whether policies meet the Federal standards.

The NAIC model and my additional requirements include a requirement that policies:

First. Be at least guaranteed renewable;

Second. Provide a 30-day return policy;

Third. Limit preexisting condition clauses to 6 months for conditions for which medical treatment was recommended by or received preceding the effective date of coverage;

Fourth. Not condition benefits on prior institutionalization requirements or limit benefits based on receipt of previous higher levels of services;



Fifth. Not provide coverage only for skilled nursing care or provide significantly more coverage for skilled care in a facility than coverage for lower levels of care in a facility;

Sixth. Limit eligibility for benefits only to services—in facilities or otherwise—licensed in the State;

Seventh. Contain a statement of the availability of and limitations upon long-term care benefits under Medicare;

Eighth. Provide to each policyholder the telephone number of the commissioner or superintendent of insurance of the State in which the policy is issued; and

Ninth. Provide at the time of solicitation a uniform disclosure statement.

Administration: Like the Baucus amendment, the bill relies primarily on the States to enforce these standards.

Federal responsibilities involve determining whether State laws and regulations are equivalent to the standards in this proposal and certifying policies on a voluntary basis in States that do not have equivalent laws and regulations.

Specifically, the bill provides that if a State has adopted laws and/or regulations that are at least as stringent as the NAIC model and the additional standards in this legislation, then policies regulated by the State are deemed to meet the Federal requirements.

The bill also establishes a voluntary certification program under which insurance companies could market policies as long-term-care insurance in States that do not have laws and regulations equivalent to the NAIC model and the additional requirements.

Insurers can submit policies and supporting documents to the Secretary of Health and Human Services. If the Secretary determines that a submitted policy meets Federal requirements, it is certified and can be marketed as a long-term care insurance policy.

The bill establishes a Long-Term Care Insurance Panel, consisting of the Secretary, three State commissioners of insurance and three individuals chosen from among Medicare beneficiaries and representatives of employers and labor. The panel would be responsible for reviewing each State's insurance regulatory program and certifying those that meet the minimum standards contained in this bill. As indicated above, in States that do not obtain panel certification the insurers may submit their policies to the Secretary of HHS for approval.

Penalties: The bill also establishes Federal sanctions, consisting of fines and/or imprisonment, for: First, false statements or misrepresentation of a policy; and second mailing, advertising, soliciting, or offering to sell a policy that has not been approved by the Secretary or the State.

Other requirements: To further protect policyholders, the Secretary would also be required to provide to all Medicare beneficiaries information to evaluate the value of a long-term care policy and the relationship of any policy to their Medicare benefits. Beneficiaries would also be provided with the addresses and phone numbers of State and Federal agencies to gain information and assistance about long-term care policies.

Finally, the Secretary would be required to inform Medicare beneficiaries of actions which

are illegal, provide them with a toll-free number and how to report suspected violations.

Mr. Speaker, senior citizens must be protected from abusive and misleading advertising and worthless long-term care policies. For MediGap policies this only occurred after passage of the Baucus amendment. My bill provides the Federal leadership required to provide the necessary regulation of long-term care insurance. I hope my colleagues will join me in speedy passage of this important legislation.

#### THE PLIGHT OF THE HOMELESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. VENTO] is recognized for 5 minutes.

Mr. VENTO. Mr. Speaker, I take this time today to call the attention of my colleagues to and the attention of our Nation to the plight of the homeless. These past 6 or 7 years, along with the members of the Banking Subcommittees and other committees of Congress, I have worked on legislation to deal with what I have characterized as a crisis of the homeless. We have acted, I think, carefully, perhaps too slowly in some instances, on legislation that deals with and provides emergency shelter and other types of help for the homeless, whether it has been through FEMA or through some of the other transitional housing programs that existed.

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Mr. Speaker, that crisis persists, and unless we deal with some of the root problems of the homeless, that crisis is not going to disappear.

Many of my colleagues have in recent weeks proposed measures to be considered by the House and Senate with regard to this issue which have been proposals which recognize that for the past 7 years housing and the funds for housing have been in significant decline, that we have clearly not met our commitments in an orderly and appropriate fashion. I think that justice cries out with regard to people who need housing today as it has never cried out in our society in the past.

Mr. Speaker, that is why I am being joined today in sponsoring legislation, H.R. 5046, which provides substantial rehabilitation money to deal with and provide housing and permanent housing for the homeless. Today, I am introducing a bill which will provide a \$2 million annual budget authority to make approximately 50,000 units of permanent housing available, transitional housing available, each year. The funding would be used to increase the number of habitable public and subsidized housing units through modernization and rehabilitation efforts and the funding of additional rental housing certificates. The bill also pro-

vides for rehabilitation of properties obtained by State and local governments through legal proceedings to create additional housing units.

Mr. Speaker, this builds on the traditional rehabilitation programs that we have in place. I think it underlines the existing workable program and that there is not necessarily the need to discover new programs, but to fund the programs which have been proven and are effective in our society today. This measure, very importantly, has the support of the National Coalition for the Homeless. I commend this organization, specifically Maria Foscarnis, who has so effectively, with such outstanding dedication, worked for the homeless and for this organization. In the Halls of Congress, in the committee rooms, Maria has spoken out for the powerless, for the homeless in our Nation.

Mr. Speaker, today on the Capitol grounds we had some protests concerning the need for housing. I understand that many of us may be distressed by the fact that we have such outpourings of feelings, such outpourings of need in our Nation's Capital, and that is an evident concern to us. The fact is that unless we begin to deal with the root problems of homelessness, we are going to have these deep concerns, and the real problems with people on the street across this Nation will persist for a long time to come.

I think in addressing our basic societal value, the dignity of the individual, we come to grips with the problems of homelessness and recognize that in today's society, decent housing is becoming a more elusive goal rather than a reality for many people. Shelter provides the foundation for basic human dignity. Without shelter, individuals are not able to take advantage of opportunities that others take for granted.

Mr. Speaker, I think that, as this issue and policy matter has long been recognized as a national responsibility, not solely a national responsibility, but certainly one in which the Federal partnership has to function with our States, with our local governments, with our private and nonprofit organizations, I think that our Nation has the capacity to provide the dignity of shelter to the people in this Nation, and I think that our Nation has the capacity to provide the dignity of shelter to the people in this country. This legislation, permanent housing for homeless Americans, is going to, I hope, build the support we need in this Congress and Nation to go forward with a bold new housing policy.

Mr. Speaker, we must start with rehabilitation. We must prevent the loss of the existing public housing units and the other low-income housing that exists across this Nation. The

boarded-up buildings, I think, call out for a Federal response, for a national response to deal with this issue, especially when we have 100,000 people living in the streets today.

Crisis funding is necessary, but if ever we are going to avert the crisis, we have to deal with the real problems.

Mr. Speaker, I am pleased that I have been joined in this effort by the gentlewoman from Hawaii [Mrs. SAIKI], who is a member of the Committee on Banking, Finance and Urban Affairs, and I hope to appeal to our subchairman, Mr. GONZALEZ, for early hearings on this issue so that we can begin to establish a policy that effectively deals with homelessness, not just on a crisis basis, but on a rational basis, on a basis that will provide the basic shelter to people in our society which they so desperately need.

Mr. Speaker, I yield back the balance of my time.

#### CAPTAIN AND CREW OF U.S.S. "VINCENNES" DESERVE OUR THANKS AND SUPPORT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 5 minutes.

Mrs. BENTLEY. Mr. Speaker, in the 10 days since we have learned of the shooting down of an Iranian airplane by the U.S.S. *Vincennes*, several discordant notes have appeared about the action, not of our ship, but of the Iranian Government and airplane and the Iranian personnel involved in the incident.

I will list some of the discordant notes, not to make final judgment on the incident but to focus on the question whether everything is as it appears. First, failure of the aircraft to respond to several challenges from the *Vincennes*, and some say five, others say seven separate warnings; second, sending the airplane during a sea engagement between the *Vincennes* and Iranian surface forces; third, the use by the aircraft of military or at least ambivalent transponder coding; fourth, the incident itself is no less disquieting—an airliner starting on a multistop flight is hit by a missile, blown up, but does not burn. The bodies shown on TV are singularly free of burn damage, damage to be expected from an airplane exploding with tanks full of aviation gas; fifth, the on-scene immediacy of TV cameras, cameras recording the entire incident almost as it is happening, and an uneasy feeling grows that we were unknowing players in a staged event; sixth, the bodies were mainly unclothed. Normally victims of such a disaster are in various stages of dress; and, seventh, the fact that the bodies were floating so quickly after the crash. Experts have pointed out that

bodies usually do not surface so immediately and conveniently. One even suggested that they might well have been mannequins.

Mr. Speaker, with so many questions unanswered, premature offers of compensation are inappropriate. If in fact detailed resolution of all the unanswered puzzles in this matter indicate that there are, indeed, compassionate reasons to help the families of those who died in the crash, then some compensation might be considered. However, I would like to insert and point out that as I visited throughout my district, my constituents these days all say no reparations to be paid to anyone in Iran or to the Iranian Government.

Mr. Speaker, I agree wholeheartedly with the resolution introduced by our distinguished colleague, the gentleman from New York [Mr. SOLOMON], that we should not even consider any reparations until all the hostages have been freed by the terrorists in Lebanon, Iran, and anywhere else in the Middle East.

We in the United States have become accustomed to the usual position of the media that if the United States is involved it is wrong. We have seen it here—a guilt complex immediately. A scant 2 days after the event, the Washington Post, quoting the usual unnamed sources, in this case veteran F-14 pilots, implied that an attack by an F-14 constituted no threat to the *Vincennes* and that Captain Rogers should have done nothing. Nonsense. The captain had 4 minutes in which to make a decision. I am certain that we can guess what line would have been followed had it been an F-14 and done serious damage to the ship.

Mr. Speaker, I support serious investigation of major incidents like this, but I also support common sense. Having lived through World War II, Korea, and having been in Vietnam, I shudder to think what the current mood of presumption of misconduct by our forces would have done in those wars. Until there is solid reason to doubt it, let us credit our military officers and men with the patriotism, behavior, and humanity they have always shown even in the most trying circumstances.

Captain Rogers and the crew of the *Vincennes* deserve our thanks and support for having done a dangerous job with efficiency, restraint, and professionalism.

#### CAPTIVE NATIONS WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, next week Americans will commemorate the 30th annual observance of "Captive Nations Week" to

remind the world of the many nations which suffer under the burdensome oppression and tyranny of the Communists. During this week, we take time to reflect on the many freedoms and liberties with which we are blessed in America, and rededicate ourselves in support of the efforts of millions of people living in these captive nations who are struggling daily to achieve their own self-determination and freedom.

These men, women, and children, enslaved against their will under Communist rule, still maintain their hope for freedom. Although the Communists have been brutal in their attempts to destroy the national identities of the captive nations through torture, exile, and execution, each day brings new stories of heroic acts of defiance against these Communist oppressors. These brave individuals of the captive nations have never accepted defeat in their continual fight for freedom, and each new act of defiance reinforces a constant source of strength and inspiration for others who are trying to escape from this yoke of oppression.

General Secretary Gorbachev has promised under glasnost a new openness and reforms for the Soviet Union. Yet thousands of prisoners of conscience remain in Soviet prisons, and the harassment and persecution of dissidents, whose only desire is to live in a free homeland, persist.

We in the United States must continue to show our support for these brave individuals, who stand up to Soviet might and intimidation. So long as the heroic people of the captive nations remain steadfast in their determination to achieve freedom, the spark of liberty will be kept alive, and one day those nations under the captivity of the Communists will be able to throw off their chains of bondage and become free.

It was 30 years ago when President Eisenhower first designated "Captive Nations Week," and during this week, millions of Americans who trace their origins to these nations, and other freedom-loving Americans, join in reflection and prayer to express their support for policies which will one day free these captive nations.

Mr. Speaker, we must continue to condemn the Soviet Union for their numerous human rights violations, and we must renew our efforts on behalf of the millions of individuals who are enslaved against their will, in order that they may regain the freedoms that are rightfully theirs. On the occasion of the 30th observance of "Captive Nations Week," I am proud to join with my constituents from the 11th Congressional District of Illinois, which I am honored to represent, and all Americans, in their hopes and prayers that one day the courageous people who suffer under the Communists will know the blessing of self-determination and liberty in their own free homeland.

#### MY ADVICE TO THE PRIVILEGED ORDERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 5 minutes.



Mr. GONZALEZ. Mr. Speaker, I have risen on quite a number of occasions to discuss the fact that for some years we have had in our financial and economic activities engendered the very forces that now are bringing about quite a dilemma.

Mr. Speaker, in 1979 I took this floor and announced to my colleagues that for the first time since 1932 all the variables were in the equation which could conceivably bring a crisis not only nationally but particularly internationally. Today, even after the stock market occurrence of last October, the frenzy continues which, of course, means and augurs a repetition.

Buyers and sellers of stock index futures are actually involved in \$26 billion a day transactions. A stock index future is really a new apparatus that provides purchase of a basket of stocks. We are talking about futures; that is, one is betting, and so what we have is a giant Reno, NV, or a giant gambling operation; that would be fine—so what? We sort have gotten accustomed to gambling, but the bad part about it is that this involves the destiny, the economic destiny and well-being, of our economic life; \$3 trillion of stock are handled all in fast, short-term transactions. More ominously, 10-year Treasury bonds are not held for more than 20 days. When people stop to think about it who know about these matters they all agree and they shake their heads and say, "It is bad."

Mr. Speaker, the annual turnover rate for stocks is now 87 percent, a rise from 12 percent in the late 1960's and early 1970's. In the beginning of the 1960's, 3 million shares of stock in a fast day would change hands, in a day. Today 3 million shares of stock change hands every 10 minutes. Short-term traders account for almost all of the mergers, takeovers, and acquisitions which in turn involve billions of dollars' worth of banking assets.

This is why I have been speaking out, going back to the middle 1960's, about this. All of the purchase money for these highly volatile, speculative transactions are based on borrowed funds from banks.

Mr. Speaker, I think that what we have is an extremely dangerous situation, and today I have introduced a bill, H.R. 5044, that I think, if adopted, and actually given the nature of our pace today, where every one of us is rushing off for a period of time of about 10 days for the convention, if actually there were to be a level of consciousness, of awareness, I think we would have all stayed here and had emergency sessions to see some action on this type of measure.

Mr. Speaker, simply put, this is just about a one-page bill which provides for 100-percent taxation of the short-term capital gains on stock futures, options, that are held for less than 1

year. Mr. Speaker, I will guarantee you this would be the only curb that would put a stop to this feverish, frenetic, dangerous playing with our economic destinies.

H.R. 5044

A bill to establish a tax on short-term capital gains, and for other purposes

*Be in enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,*

SECTION 1. IMPOSITION OF A SHORT-TERM CAPITAL GAINS TAX.

Section 1201 of the Internal Revenue Code of 1986 (Alternative Tax For Corporations) is amended to read as follows:

"(a) GENERAL RULE.—If for any taxable year a taxpayer has a net capital gain, then, instead of the tax imposed by sections 1, 11, 511, and 831(a), there is imposed a tax which shall consist of the sum of:

"(1) the existing rate of tax upon taxable income (including net long-term capital gain) but excluding net short-term capital gain for such income, computed at the rates and in the manner as if this subsection had not been enacted, and

"(2) a tax of one hundred percent on the net short-term capital gain from stocks, options, or futures that a seller has owned for less than a year.

SECTION 2. EFFECTIVE DATE.

The amendments made by Section 1 shall apply to taxable years beginning after December 31, 1988.

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SEAMAN WARNS OF GARBAGE DUMPING IN CARIBBEAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the Virgin Islands [Mr. DE LUGO] is recognized for 30 minutes.

Mr. DE LUGO. Mr. Speaker, preservation of our environment in the U.S. Virgin Islands and Caribbean is a constant struggle. The fragile balances of our marine life, plant life, animals, birds, and scenery are seriously threatened by modern development.

I want to speak, first, about one of the most ominous current threats, ocean dumping of garbage, and second, one of our talented people who has dedicated most of his adult life to protecting our environment, George Seaman of St. Croix. The two fit together. When recent press reports in the Virgin Islands alerted us to the dangers of ocean dumping, who was the primary source? George Seaman, speaking out to protect the land and sea that he loves.

We learned recently that a stateside company had been talking with our neighbors in the Caribbean about dumping statewide garbage in our region. This particular company, Waste Central Inc. of Philadelphia, was negotiating with officials from the Netherland Antilles Island of Saba, 80 miles east of St. Croix in the U.S. Virgin Islands, about paying a sizable fee to deposit its garbage in the waters off of Saba.

It would all be safe, they said. All encased in concrete, they said. It could become a reef or even a healthy small island, they said. No problems, they said. We have heard those reassurances before, and will not fall for them this time around.

This dumping scheme would spell disaster for the Virgin Islands and for our entire region. As one Saba official said in the news accounts, it would make no difference if the garbage happened to leak because the currents would carry it straight out to sea, toward the U.S. and British Virgin Islands. This dumping scheme is particularly dangerous and infuriating because it shows a United States company using big money to export its problems to the poor islands of the Caribbean. Those fees may be small change for a stateside company, but they can look very big and very enticing to the islands of the Caribbean.

As it turned out, these Saban officials responded to public pressure and turned down the deal. But we have to act now to prevent anyone else from turning the waters of the Caribbean into their garbage dump. We don't need garbage from Philadelphia or anywhere else in the United States spoiling our coasts and waters, our fisheries and natural bounty.

I am urging this administration to enforce the environmental regulations and international agreements that will prevent this sort of travesty. I also urge my colleagues here to pass the additional laws that will prevent this sort of exploitation. The countries of the Caribbean will have to work together, and the United States will have to work with them, to protect one another. We have made some progress with laws that regulate the dumping of plastics and toxics, but we have to keep up a vigilant effort until we find the combination of laws and enforcement powers that will stop anyone from using the Caribbean as their dumping ground.

On a happier note, it is only fitting that George Seaman should be the source for these news accounts, once again alerting us to the dangers to our environment. George is a dashing, 84-year-old figure who is well known on St. Croix, where he was born in 1904. He spent his boyhood exploring the island when it was sparkling and pristine, and a young lad could spend glorious days hunting, fishing, and admiring creation. In a recent profile of Seaman in the San Juan Star, he described his boyhood in that setting as "about the closest thing to fulfillment this side of judgment day."

George was an adventurous soul, who spent his early manhood on expeditions and businesses in Panama, Venezuela, the Dominican Republic, the South Seas of the Pacific and other exotic areas. Thankfully, in 1949 we lured him back to St. Croix where he became wildlife supervisor of the Department of Fish and Wildlife until his retirement in 1969, when he moved on to the island of Saba. He devoted himself to studying our deer, birds, mongoose, and other animals. He published valuable research reports, filled with his observations and data, that now are major sources of information on the wildlife that existed in our islands 20 to 40 years ago. He also recommended steps to preserve the areas that support these species. Construction and development have taken their toll since 1969, but we have made some progress in setting aside small cays and coastal areas as natural preserves, as he urged us to do.

George also has picked up his pen and written several books that reflect our unique folk

culture and environment in the Virgin Islands. His first, "The Virgin Islands Dictionary," is a collection of Cruzan definitions published in 1967. Since then he has added "Sticks From the Hawk's Nest," a collection of nature essays, "Ay, Ay: An Island Almanac," about our changing tropical seasons, "Not So Cat Walk," a book of Cruzan proverbs, and "Sadly Cries the Plover," a collection of poems.

George Seaman has taken great joy in studying our wildlife and protecting our environment. But now he is giving us an ominous warning about the hazards of ocean dumping. I, for one, take him at his word and plan to do what I can to be sure that this hazard is averted. I urge the administration and all my colleagues in Congress to join me in taking action to preserve the beautiful waters of the Caribbean.

#### GAO REPORT ON THE X-RAY LASER PROGRAM

The **SPEAKER** pro tempore (Mr. GONZALEZ). Under a previous order of the House, the gentleman from California [Mr. BROWN] is recognized for 60 minutes.

Mr. BROWN of California. Mr. Speaker, today I am releasing a report by the General Accounting Office [GAO] titled "Accuracy of Statements Concerning DOE's X-Ray Laser Research Program." I requested this study last October after becoming increasingly concerned about the way in which the x-ray laser program had been presented to Congress, the administration, and the American public.

The basis for my concern was correspondence by, and conversations with, Mr. Roy Woodruff, former Associate Director for Defense Systems at Lawrence Livermore National Laboratory. Mr. Woodruff directed the x-ray laser program from 1980 to 1985. In a confidential letter dated April 3, 1987, to University of California president David Gardner, Mr. Woodruff said that Livermore scientists Dr. Edward Teller and Dr. Lowell Wood had made "overly optimistic and technically incorrect statements concerning this research to the Nation's highest policymakers." Mr. Woodruff's letter to President Gardner became public in October 1987 when it was leaked to the press by someone working for the University of California.

Mr. Woodruff's specific claim is that, in a series of letters and briefings to administration and Pentagon officials, Dr. Teller and Dr. Wood from 1983 through 1985 made insupportable statements about the progress and potential of the x-ray laser. The officials who received these materials include Ambassador Paul Nitze, chief U.S. Arms Control negotiator; Mr. Robert McFarlane, then National Security Advisor to the President; William Casey, then Director of the Central Intelligence Agency; and Dr. George Keyworth, then Science Advisor to the President.

As the director of the x-ray laser program, Mr. Woodruff felt that his technical credibility was being compromised by what he felt were insupportable statements. Mr. Woodruff attempted to send correcting letters to those who had received the Teller and Wood correspondence and briefings, but he says Dr. Roger Batzel, Director of Lawrence Livermore at the time, prevented him from doing so. In frustration with the situation, Mr. Woodruff felt that he had no ethical option but to request reassignment. He resigned as Associate Director for Defense Systems in October 1985, and was subsequently demoted and ostracized within the lab. Dr. Batzel reassigned Mr. Woodruff to a section of the laboratory separated from the rest of the lab personnel. Mr. Woodruff had been banished for whistleblowing, in the view of many of his colleagues, to a post they referred to as "Gorky West."

Before sharing my observations on the GAO report, let me provide some additional background about the research program itself. The x-ray laser effort was formally initiated at Lawrence Livermore in 1980. Those involved with the program, and Dr. Teller in particular, were quick to imagine an application that would make it possible for the first time to destroy Soviet intercontinental ballistic nuclear missiles minutes after being launched. In theory, bursts of xrays powered by nuclear detonations would destroy rising missiles while they were still over the Soviet Union. This was the vision that Dr. Teller reportedly presented to his old friend, President Reagan, in 1982, a full year before the feasibility of a nuclear pumped x-ray laser had even been demonstrated.

Tests of the x-ray laser have occurred at a steady pace over the past 8 years, but given the high cost and enormous complexity of these experiments, the number conducted to date has been limited.

As the program has progressed, two principal design concepts for the x-ray laser have emerged. One, called Excalibur, has a particular laser brightness goal that, if achieved, would be capable of damaging space assets such as satellites or components of a space-based defense. Experts agree that the Excalibur level of brightness would not be potent enough to serve as a defense against ballistic missiles, although in the early stages of the program, some thought that it would.

The second design concept, which emerged in mid-1984, is called Super-Excalibur. This theoretically more powerful design could have applications for intercepting missiles in flight, in addition to being able to attack space assets.

Both of these concepts remain just that: concepts. Experimentation to

date has demonstrated that an x-ray laser can be generated with the power of a nuclear bomb. However, it has yet to be shown that this research can yield a militarily useful device of any form. In other words, a great deal of science, instrumentation, interpretation, and modeling have yet to be done.

Of the two design concepts, Excalibur and Super-Excalibur, Mr. Woodruff has been most concerned about the overselling of the latter. Although he endorsed the concept and urged that it be pursued, he wanted people to be fully aware that it was only a concept on paper, and not an imminent weapons capability. Mr. Woodruff felt that Dr. Teller and Dr. Wood were inappropriately proclaiming that Super-Excalibur was on a schedule for near-term deployment.

A fundamental paradox of the x-ray laser issue is that, even if the Excalibur level of laser brightness were achieved, and if it were accomplished by both the United States and the Soviet Union, then any plan for deploying a space-based defense would become immaterial since space assets would become hopelessly vulnerable to attack. In other words, Excalibur, if developed, would be a perfect anti-SDI weapon.

Now, Mr. Speaker, let me turn to the GAO report, which I feel clearly establishes many of the key points made by Mr. Woodruff.

For example, the report establishes that claims were made about the x-ray laser program that Mr. Woodruff, as the director of the program, had every right to protest. One such claim was made in letters dated December 28, 1984, from Dr. Teller to Ambassador Nitze and Mr. McFarlane. A passage dealing with the Super-Excalibur concept has been declassified in the GAO report. As printed on page 7 of the document, the passage reads:

A single x-ray laser module the size of an executive desk which applied this technology could potentially shoot down the entire Soviet land-based missile force, if it were to be launched into the module's field of view.

Such a claim goes beyond simple optimism to sheer flights of fancy. A Soviet attack involving that country's entire land-based missile force would be comprised of more than 10,000 missiles traveling at thousands of miles per hour along a wide-range of trajectories. Intercepting this entire threat cloud with a single x-ray laser module no larger than an executive desk is an absolutely incredible proposal.

Was the proposal based on scientific data emerging from the x-ray laser program? No, it was not, as confirmed by the Director of Lawrence Livermore, Dr. Roger Batzel. In February 1986, Dr. Roger Batzel was asked during a hearing of the House Armed Services Committee if there were any



quantitative data to support the concept of a single x-ray laser device intercepting an entire Soviet missile salvo. As reported by the GAO on page 11, Dr. Batzel replied that "there are no data at this stage of the game that would support that."

In a December 22, 1983, letter to George Keyworth, Dr. Teller made a similar, remarkable statement about progress of the x-ray laser. This time referring to Excalibur, he said that so much progress had been achieved in the program that the weapon was ready for the engineering phase of development.

To the weapons community, saying that something is ready to enter engineering means that essentially all of the scientific questions have been solved. Dr. Teller made this statement more than 5 years ago, yet Excalibur is nowhere near the engineering phase even today. The GAO reports on page 5 that Dr. George Miller, who replaced Mr. Woodruff as Livermore's Associate Director for Defense Systems, supports Mr. Woodruff's views and feels that the x-ray laser was not ready for engineering then or now.

The GAO clearly establishes that Mr. Woodruff, when he attempted to send correcting letters to Dr. Keyworth and Ambassador Nitze, was blocked from doing so by Dr. Batzel. Mr. Woodruff did not prepare a correcting letter to Mr. McFarlane, realizing that the Director would oppose it. GAO reports that Dr. Batzel preferred that Mr. Woodruff make his points in person. But what kind of a policy is this?

It is an untenable situation for a program manager to have to run around the country clarifying statements made about a program under his supervision. It should be emphasized, too, that neither Dr. Teller nor Dr. Wood is a formal member of the section of Livermore that runs the x-ray laser program. Dr. Teller is a scientist emeritus with the laboratory, not even on its payroll. And Dr. Wood is in a separate section called "O" Group; the x-ray laser effort is conducted by "R" Division.

Roy Woodruff is not the only one concerned about exaggerated claims of the x-ray laser effort. Dr. Donald Kerr, Director of Los Alamos National Laboratory from 1979 to 1985, warned Dr. Batzel in early 1985 that extravagant claims about the x-ray laser were draining money away from more important science efforts. "It was a concern of mine at the time and it still is," Dr. Kerr told a reporter in December 1987.

Similarly, Richard Wagner, a former Livermore scientist and top nuclear weapons official at the Pentagon, has said, "I was very concerned about the way the information about the SDI was being presented. It is very far out technology, and there's so little data."

In his proposed correcting letters, Mr. Woodruff wanted to attach qualifications to the statements made by Dr. Teller and Dr. Wood. Given the paucity of data from the test program, Mr. Woodruff felt that any grandiose claims about moving into the engineering phase, or developing a desk-sized unit capable of intercepting an entire missile attack, should be carefully and extensively qualified in terms of physics milestones yet to be met and funding support still to be achieved.

In his correcting letter to Ambassador Nitze, Woodruff wanted to emphasize that without considerable additional funding support, the Excalibur brightness goal could not be accomplished in this century. He also wanted to clarify that the x-ray laser remained an evolving concept and, at best, a paper weapon; it was not, as Dr. Teller had described, on the verge of deployment.

In his correcting letter to Dr. Keyworth, Mr. Woodruff wanted to mitigate what he felt were premature conclusions by Dr. Teller. Mr. Woodruff wanted to clearly state that many physics questions remain to be answered and that a military application for the x-ray laser had not been established.

The GAO report states that the Lawrence Livermore official channel of communication regarding the x-ray laser program made statements that were similar to those identified by Mr. Woodruff as being "overly optimistic and technically incorrect." This seems to me to be fairly misleading, since it minimizes the importance of the qualifications Mr. Woodruff wanted attached to the claims by Dr. Teller and Dr. Wood. It also diminishes the significance of the cases in which the official Livermore channel, including Mr. Woodruff, has never said anything resembling the contested statements; that is, the x-ray laser entering engineering phase, the possibility of developing an executive desk-size x-ray laser module.

In the process of conducting the investigation, the GAO team asked selected Livermore scientists for their opinions about the accuracy of the statements challenged by Mr. Woodruff. From this process, GAO concludes that there is no general agreement among these scientists regarding the accuracy of the statements.

GAO is not a science court and thus is not equipped to pass judgment on the technical aspects of this controversy. For this reason, probably no approach could have been taken other than conducting a poll of lab scientists with specific knowledge about the x-ray laser. GAO's conclusion, that there is no uniformity of opinion regarding the x-ray laser program, reflects the polarized views concerning this research effort. Spawned with great promise, the program has had

difficulty meeting the high expectations that were set on its behalf. And since the program was christened by Dr. Teller, whose celebrated stature casts an ever-present shadow over the lab, lab officials and some lab scientists appear to have been reluctant to publicly confess to the shortcomings of this line of research.

Most observers will look to the GAO report to answer the question: Who was right—Teller and Wood or Woodruff? I do not believe that the report offers a clear answer to this query. The report confirms that incredible claims were made about the x-ray laser program, but it also suggests that Livermore itself was caught up in the euphoria of the SDI's early years—when statements about the magnificence of strategic defense technologies were being made throughout society, and by no less than the President himself. Mr. Woodruff was principled enough to say that he did not want his name associated with such statements, but, given the President's strong personal interest in developing a space-based defense for the entire U.S. population, one can understand how other Livermore scientists could get swept along by this frenzy.

As a practical matter, the passage of time has vindicated Mr. Woodruff's more qualified views. Five years have passed since some of the contested statements were made, and we are no closer now than we were then to the development of a militarily useful x-ray laser.

By most estimates, development of any form of x-ray laser weapon remains 15 to 20 years away. And as I mentioned earlier, the first application for such a device would be as an anti-SDI weapon, capable of attacking satellites and other assets in space. The Office of Technology Assessment and the American Physical Society, in separate reports on the SDI, both concluded that the first possible fruit of the x-ray laser program would be an anti-SDI device. This view is shared by Livermore scientists working on the program, including Dr. Wood, who said in testimony before Congress late last year:

X-ray lasers can be used to destroy any type of platforms in space, including defensive platforms, so the counter-defensive role is being explored extensively, and it is this role in which x-ray lasers might be expected to first come into play.

Such a revelation is ironic indeed, since, if the x-ray laser program proves successful, it is likely to make the development of a space-based defense impossible.

It is this realization, combined with the disappointing progress of the x-ray laser program, that has led to a scaling back of the effort. What once was the crown jewel of the SDI has now tarnished, with the SDI program

this year requesting less than half as much for continued x-ray laser research as it projected 2 years ago. Funded through the Department of Energy's Nuclear Directed Energy Weapons [NDEWs] Program, the lion's share of which is for the x-ray laser, the request for fiscal year 1989 was \$285 million. This compares to a projected request 2 years ago of \$707 million for fiscal 1989. Congress has cut the request to \$255 million, putting it below the 1986 level of support.

The scaling back and reassessment that has occurred with the x-ray laser program is mirrored by a reexamination underway of the entire SDI. The unbridled enthusiasm that ushered in the program has now been extensively harnessed.

Looking back to the early days of the SDI, following the October 1983 release of the Fletcher Commission report, one recalls extraordinary claims about a panoply of technologies in addition to the x-ray laser. Space-based chemical lasers clearing the sky of a Soviet missile attack; orbiting railguns hurling projectiles across vast distances; ground-based laser beams bouncing off of orbiting mirrors to intercept missiles as they rose from the Soviet Union; particle beam weapons obliterating a missile attack in action—these and other images gave birth to projections that the United States could field an essentially leak-proof missile defense.

Secretary of Defense Weinberger in 1983 spoke of a "thoroughly reliable and total" defense against nuclear weapons. Dr. James Fletcher in 1984 wrote about the possibility of developing a shield with an effectiveness "of greater than 99 percent." Zbigniew Brzezinski, Robert Jastrow, and Max Kampelman, in a January 1985 New York Times magazine article, claimed that a missile defense system that would prove 90 percent effective was ready for deployment, and that such a defense could be in place "by the early 1990's at a cost we estimate to be somewhere in the neighborhood of \$60 billion."

What is being discussed today, however, is no more than a feeble remnant of these glorious notions. A system resembling what Mr. Brzezinski et al. discussed above was proposed by the SDI program and endorsed by the Pentagon 1 year ago. Analysis has shown, however, that this so-called phase 1 system would cost not \$60 billion but \$250 billion or more, and would not be 90 percent effective but only 30 percent—at best.

Since this system would likely be obsolete the day it were deployed, given well-known countermeasures available to the Soviet Union, Pentagon support for phase 1 is waning fast. The Defense Acquisition Board, which met last month to review the SDI, has reportedly recommended that the Pen-

tagon withdraw its approval of phase 1 and accept a more limited scheme proposed in May by the Defense Science Board [DSB].

A May 20 report issued by the DSB rejected the notion of deploying in the near term hundreds of space-based weapons, as called for by phase 1, and offered a new plan involving deployment during the 1990's of a mere 100 ground-based interceptors combined with new satellite-based sensors. The DSB recommended these changes in view of "technical, budgetary, political and arms control uncertainties, surrounding the program," which are precisely the form of qualifiers Mr. Woodruff was arguing for in presentations about the x-ray laser.

Secretary of Defense Frank Carlucci is expected to endorse the Defense Science Board's proposal, and debate within the Pentagon is now focusing on whether to deploy the interceptors in Grand Forks, ND, the one site permitted by the 1972 ABM Treaty, or whether to base the missiles around Washington, DC. The cost of this site would range from \$10 to \$20 billion, for a system with only marginal capabilities. The Office of Technology Assessment has said that such a plan could probably defend against only five Soviet SS-18 missiles, carrying less than one-half of 1 percent of the Soviet strategic arsenal.

Were people misled by the wild claims made about developing a space-based defense? Of course they were. People without technical training accepted the rosy projections. They repeated them before audiences, in articles, and in discussions throughout the Nation.

One of those people, of course, was the President himself. My own view is that President Reagan was convinced in 1983 by Dr. Teller that the x-ray laser would eliminate the nuclear threat to the United States, and the President has held to that notion ever since. In support of the SDI, the President has made repeated comments including the phrase "once we develop this weapon," suggesting that he honestly believes that the SDI is comprised of a single powerful defensive technology—such as the x-ray laser, as presented to him by Dr. Teller.

As a result of the claims that have been made about the SDI, the American public has been led to believe that a technological astrodome could be erected in short order to guard the Nation against a nuclear attack.

And it was not simply the nontechnical community that repeated these extravagant claims. People who knew better repeated them as well, thus giving these statements far more credence than they deserved. Dr. George Keyworth, for instance, in 1985 told an audience of 500 scientists in Las Vegas, NV, that—

A single x-ray laser could defend against the USSR's entire offensive forces and thereby make it unrealistic for the Soviets to counter with an offensive arms race.

When a member of my staff asked the GAO investigators whether Dr. Keyworth might have been misled into believing this statement by Dr. Teller, the investigators assured us that, given his technical background, Dr. Keyworth was not misled. The GAO team felt that Dr. Keyworth did not believe this claim, even though he repeated it.

The spreading of implausible information has been the basic story of the SDI to date. People who have known better have helped to perpetuate the notion that the SDI might just render nuclear missiles "impotent and obsolete," as called for by the President.

Some have spread this information for political reasons, showing their allegiance to the President or their superiors. Others have done it for financial reasons, because their defense companies, consulting firms, or laboratories stood to gain from the program. Some have helped propel the myth behind the SDI for strictly ideological reasons, based on their particular views of the United States-Soviet rivalry. Still others have done so because they knew or believed that their institutions would not have lent support if they had raised objections, or tried to temper enthusiasm.

Roy Woodruff was the manager of the Nation's x-ray laser program. He knew that statements made about that project were hopelessly optimistic and, in some cases, simply inaccurate. He wanted the Nation's Chief Arms Control Advisor, National Security Adviser, Director of the CIA, and Presidential Science Advisor to know that the x-ray laser program was not ready for engineering development, that Excalibur and Super-Excalibur were simply paper weapons, that major scientific questions and technical obstacles remained in the way of turning them into militarily useful devices, and that such a task would require many years and substantial financial support. Mr. Woodruff was fully justified in wanting to get this message across to some of the Nation's top decisionmakers responsible for policies concerning the SDI.

Dr. Batzel, in my estimation, failed to provide Roy Woodruff with the support he deserved as the director of the x-ray laser program. The University of California also failed, in my opinion, to treat this issue with proper seriousness. To my knowledge, President Gardner has refused to meet with Mr. Woodruff to discuss the substance of Mr. Woodruff's concerns, which have included a grievance complaint filed by Mr. Woodruff with the university for unprecedented reprisals taken against him for speaking out.



Mr. Woodruff did win his grievance and was appointed as the director of the arms control verification program at Livermore, but his problems are by no means resolved. Mr. Woodruff has found it difficult to talk with John Nuckolls, the new director of the laboratory and an old associate of Dr. Teller's. This will make it difficult for Mr. Woodruff to carry out his present responsibilities. The Department of Energy has not responded to requests from Mr. Woodruff for assistance under DOE's policy to support whistleblowers.

Can steps be taken to ensure that an incident like this does not happen again? Yes they can. I am encouraged to see that California Gov. George Deukmejian signed into law this week supplemental language, attached to the budget for the University of California, pertaining to the UC system's oversight of Livermore. The language establishes the appointment of oversight officials who will, among other things, ensure that "research produced by the labs is technically sound and that its meaning not be misrepresented to Government officials, and that the existence of dissenting views within the scientific community be acknowledged and made known to U.S. Government officials."

I am also pleased to see in the GAO report that Lawrence Livermore plans to issue a formal, written policy governing the dissemination of official management views as opposed to personal views, expressed by individual scientists outside of the laboratory. I look forward to seeing a copy of this new policy.

I also look forward to seeing declassified copies of the contested materials by Dr. Teller and Dr. Wood. Joining with Congressman Ed MARKEY, I have asked the Department of Energy to release these letters and briefing materials, which, with minor deletions, should be easily declassified. In a June 1, 1988, letter to Troy E. Wade III, DOE's Assistant Secretary of Defense for Defense Systems, Mr. MARKEY and I state:

We believe that the issues of scientific integrity, laboratory management, and DOE oversight raised by the Woodruff case are of sufficient importance to merit a declassification and release of the relevant documents, so that Congress might be in a position to openly evaluate the facts of this matter and determine whether additional legislation is needed to improve the Department's management and oversight of government-owned contractor-operated facilities such as the Livermore Laboratory.

We also requested with this letter that DOE release the so-called investigation of this dispute conducted by Dr. George Dacey and Dr. John Foster, Jr. While I do not feel that the two brief letters that constitute this investigation are particularly enlightening, they have been referred to so frequently by Livermore and Universi-

ty of California officials that they should be made part of the public record. These documents are not classified, yet DOE has not been willing to release them to date. It is clear to me that interested individuals would have a much fuller understanding of this controversy if they could see and judge these materials for themselves.

Fundamentally, however, it is time to put this controversy behind us, and for Livermore and the Nation to make fundamental decisions, based on the most complete and realistic information possible, about what form of missile defense plan is feasible, affordable, survivable, and worthy of support. We appear to be moving in that direction, and the result is a far more humble, and might I add, realistic, assessment of the potential for strategic defenses.

□ 1700

#### THE 50TH ANNIVERSARY OF EVIAN REFUGEE CONFERENCE

The SPEAKER pro tempore (Mr. GONZALEZ). Under a previous order of the House, the gentleman from New York [Mr. SOLARZ] is recognized for 15 minutes.

Mr. SOLARZ. Mr. Speaker, this week marks the 50th anniversary of the Evian Refugee Conference, convened by President Roosevelt to address the need for safe asylum for the Jews of Europe.

From July 6-15, 1938, representatives of the United States and 31 other asylum nations met at Evian-les-Bains, France, to seek a solution to the plight of the 600,000 Jews of Germany and Austria. Hitler had declared Jews to be noncitizens, and sought to expel them and other undesirables from Austria and Germany. Tragically, most could not find asylum anywhere.

President Roosevelt had proposed this international refugee conference in the wake of Germany's invasion of Austria to seek an international consensus on what should be done to aid the victims of Nazi terror. The press had carried vivid accounts of Germany's arrests and systematic persecution and harassment of its Jewish citizens.

Unfortunately, the United States at that time was unwilling to exercise the bold leadership that would have challenged the assembled nations to do more than protest Hitler's brutal campaign of terror against Jews. Before the delegates convened at this luxury resort city, our Government had made it clear that no nation would be pressured to change its immigration laws to accept Jews or other victims of Nazi persecution.

Despite the fact that 40,000 people had been arrested by the Nazis in the less than 4 months that had elapsed since the invasion of Austria, few nations at that conference were willing to do anything concrete. The 32 nations in attendance sat through the presentations of voluntary agencies and organizations deeply concerned about the plight of the persecuted Jews. But in the end, after 9 days of discussion and hours of handringing, the United States carefully announced its small

gesture of assistance: We would accept for the first time since 1933 the admission from Germany and Austria of the full United States immigration quota, 28,000. In 1937, despite the applications of thousands of desperate Jews who sought to flee the impending disaster, the United States had admitted only 17,000 from Germany and Austria. In fact, during the whole 5-year period of 1933-38, the United States admitted only 27,000 Jews.

After the United States indicated at Evian its limited willingness to respond to this grave humanitarian crisis, only three other nations bothered to make specific resettlement pledges, and even these were not fulfilled. Country after country repeated their desire to be helpful but pleaded the constraints of limited resources, public opposition to higher immigration totals or even the concern that since they currently had no racial problems they could not, in good conscience, admit groups that would cause racial and ethnic tensions or require the expenditure of additional funds.

In addition, the delegates noted that all Jewish immigrants would have to pay their own way to their place of resettlement and be able to support themselves upon arrival, despite the fact that the German authorities would permit Jews to take only 10 Reichsmarks, less than \$10, out of Germany or Austria.

The Dominican Republic offered to resettle 100,000 Jews, but only 500 ever received sanctuary in that small island nation. Australia offered to accept 5,000 per year for 3 years, while Brazil offered to take 3,000 Jews. Other nations indicated they would consider accepting only special immigrants like agriculturalists or Catholics. Since few Jews were farmers, they explained, one would have to understand their inability to help. Some nations offered to permit resettlement in their colonies—but Britain would not agree to open Palestine. The Philippines, then an American colony offered to take 10,000 refugees, if the United States would approve. It didn't.

The Evian Conference was a startling example of the failure of the human spirit, the rejection of brotherly love, and the willingness of nations, like individuals, to hide behind expressions of sympathy rather than take effective action to alleviate the pain and suffering being experienced by other human beings. The world had forgotten, in the words of Thomas Mann "that no man is an island."

At Evian the nations of the world not only proved themselves unwilling to seriously consider rescuing the Jews, but also demonstrated to the persecutors and oppressors of Germany that they had little to fear from the nations of the West if they decided to step up their persecution of Jews and other undesirables.

An article which appeared after the conference in Danziger Vorposten was a telling indictment of those who had come to Evian and agreed to leave without any major action.

We see that one likes to pity the Jews as long as one can use this pity for a wicked agitation against Germany, but that no state is prepared to fight the cultural disgrace of Central Europe by accepting a few thousand Jews. The conference serves to justify Germany's policy against the Jews.

Four months later, the official newspaper of the Gestapo would make an even more telling comment:

Because it is necessary, because we no longer hear the world's screeching and because, after all, no power on earth can hinder us, we will now bring the Jewish question to its totalitarian solution. . . . The result would be the actual and definite end of Jewry in Germany and its complete extermination.

Somehow even the small steps the United States did announce at Evian, the full admission of 28,000 immigrants from Germany and Austria, was soon deemed too generous. By mid-1940, our Government decided to tighten up quota requirements. Over the next 3 years documentation and background check requirements were actually increased. Thus any Jew able to escape and reach a U.S. consulate faced an even more difficult task in seeking admission to the United States. By 1943, the visa form was 4 feet long. Historians tell us that the United States actually admitted fewer and fewer Jews. In David Wyman's moving account of this period, "The Abandonment of the Jews," he reveals that we admitted only 10 percent of our full immigration quota. For the 3½ years the United States was at war with Germany, only 21,000 refugees were admitted to the United States.

Fortunately, the world community has improved its response to refugees since the Holocaust. But we must never forget what happened in Europe. It could happen again if good men and women are not willing to do something.

Our political, spiritual, and civic leaders must remember that the price of not exercising leadership is a high one. It is not enough to condemn those who persecute and oppress others. We must be willing to come to the aid of the victims, to provide refuge and relief, and to seek the punishment of those responsible for such crimes against humanity. To do less is to demean our humanity and to do grave damage to the ideals on which this great Nation was founded, and to risk the repetition of the Holocaust.

#### H.R. 5050, THE OMNIBUS WOMEN'S BUSINESS OWNERSHIP ACT OF 1988

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. LaFalce] is recognized for 15 minutes.

Mr. LaFalce. Mr. Speaker, on behalf of Congressman Joe McDade, the ranking minority member of the Small Business Committee, and the other 66 original cosponsors, I am pleased today to introduce the Omnibus Women's Business Ownership Act of 1988. This landmark legislation marks the first attempt by the Congress to address comprehensively the specific problems and concerns of women entrepreneurs. The legislation is based on a series of six hearings that the Small Business Committee held and on the findings and recommendations of a bipartisan Committee Report entitled, "New Economic Realities: The Rise of Women Entrepreneurs." In addition to the specifics of the bill, the legislation provides formal recognition by the Congress of the rapidly increasing importance

of women-owned business to our national economy and prosperity.

Prior to the 1970's women owned less than 5 percent of American businesses. The percentage of businesses owned by women has skyrocketed to about 30 percent at present—and by the turn of the century it is likely that fully 50 percent of American businesses will be owned by women.

This astonishing development has profound social and economic consequences. At a time when America is suffering from huge budget and trade deficits—and from a chronic failure to significantly increase productivity—it is vital for public policymakers to help catalyze the tremendous pool of talent and energy these women represent. They are part of the most educated generation of women that has ever existed. They are a gold mine of human capital. No other nation, Japan included, is anywhere close to the United States in maximizing the economic and creative potential of the over 50 percent of the population who are women. Our future competitiveness requires that public policymakers, in partnership with the private sector, assist and affirm this economic revolution.

From a public policy perspective, there can now be no adequate assessment of the general economy without taking into account the activities and concerns of women entrepreneurs. Women owned businesses have become a central factor in the American economy and will become even more crucial in the years ahead.

Women are going into business at a rate two times faster than men and are thus the fastest growing segment of the entrepreneurial community. Since the vast majority of these new female entrepreneurs enter professional and technical service businesses, their influence will continue to grow as the country shifts further away from a manufacturing-oriented economy to one that is based on services, high-technology and information.

Women, however, are also becoming a factor in nontraditional industries and can be found succeeding in virtually every industry category. Mining, construction, manufacturing, transportation, communication, and electrical utility businesses are examples of new fields enjoying surprising growth in the percentage of female ownership.

The achievement of women-owned businesses has been extremely impressive. But there are still barriers to overcome before women can attain full and equal status in the American economy.

The legislation deals with five barriers to women-owned business that merit special attention: First, the need to provide management and technical training to maximize the growth potential of women-owned business; second, problems of access to capital; third, the virtual exclusion of women-owned business from government procurement activities; fourth, the inadequacy of information and data relative to women-owned business; and fifth, the overall general ineffectiveness of current Federal policies toward women-owned business.

#### THE NEED FOR MANAGEMENT TRAINING AND TECHNICAL ASSISTANCE

Given the emergence of women in such large numbers into the business sector, there

is a need for appropriate public policies of maximize this important and growing economic resource. A comprehensive Dun & Bradstreet study has concluded that lack of management skill is the primary cause of business failure by small business entrepreneurs.

Sex stereotyping in education prompts women to elect fewer science, mathematics, and technical subjects in school; women are not encouraged to acquire practical knowledge of finance-related skills; women are not groomed for the entrepreneurial tradition as are males; and employment experience in related areas, shown to be critical to entrepreneurial success, is either denied or achieved at greater cost.

While the need for management and technical training and assistance is well documented, the Federal Government has given only sporadic support for such activities for women. I believe that managerial training and technical assistance must become increasingly available to potential women entrepreneurs.

Therefore, the legislation I am introducing would fund, on a matching public/private partnership basis, a number of demonstration projects throughout the country to provide sustained, high-quality management training and technical assistance for women-owned business. The program would be authorized for 3 years and would be supported by \$10 million in Federal funding.

#### ACCESS TO CAPITAL

Small businesses generally cite limited access to capital as a primary detriment to business success. In addition, a woman faces additional barriers when she approaches the lending institution. A recent survey of women business owners estimated that 68 percent believe that they have been discriminated against in business loan applications, and 29 percent of those who received loans believed they were offered on discriminatory terms.

The Equal Credit Opportunity Act of 1974 [ECOA] prohibits discrimination on the basis of race, color, national origin, sex, marital status, or age. The act has been successful in providing equal access to consumer credit, but, due to wholesale Federal Reserve Board regulatory exemptions, it has not been effective with respect to business and commercial transactions.

The legislation would amend the Equal Credit Opportunity Act to require the Federal Reserve Board to promulgate strict limitations regarding inquiries into marital status, and provide for retention of records and affirmative notice of the right to receive reasons for loan denials.

An additional problem is that many small businesses, including women-owned businesses, find that lending institutions are often very reluctant to take the time and trouble to make small loans of \$50,000 or less. This is especially a problem for service industries. Therefore, the legislation would create an SBA guaranteed "mini-loan program" utilizing expedited application and evaluation procedures for loans up to \$50,000. It is my expectation that the program will experiment with collateralizing "soft" assets. It would serve all small businesses, but should be specifically useful to the service sector of the economy where women-owned businesses are concentrated.



## GOVERNMENT PROCUREMENT

The U.S. Government is the largest purchaser of goods and services in the world, spending approximately \$177 billion annually. Although Executive Order 12138, issued in 1979, directs Federal agencies to take affirmative action to increase women-owned business' procurement share, the continued underutilization of women shows a lack of serious commitment by Government agencies to the policy enunciated in the Executive order. Despite the fact that women now own about 30 percent of all U.S. businesses, the percentage of prime contract awards to women-owned business still remains approximately 1 percent of total procurement dollars.

The same holds true for subcontracting. In Government contracts that exceed \$500,000—\$1,000,000 for construction—prime contractors are required by statute to negotiate subcontracting plans with goals for small business and small disadvantaged business. Contractors are required to report their actual achievement against these goals on standard reporting forms. There are, however, no similar requirements for subcontracting with women-owned business.

The Federal Acquisition Regulation [FAR] does require agencies to include a clause in most contracts expected to exceed \$25,000, that states the national policy to utilize women-owned small business, and that requires prime contractors to use "best efforts" to give such businesses the maximum practicable opportunity to participate in subcontracts. Prime contractors, however, are not required to report on the subcontracts actually awarded to women. There is no data available, therefore, to indicate the level of compliance with the "best efforts" clause.

To improve the access of women-owned businesses to Federal procurement, the legislation would require each agency to develop contracting and subcontracting goals; require agencies to report on the number of contracts and subcontracts awarded; establish full-time Women's Business Specialists in each Federal agency; and require each agency to provide outreach for women-owned business and to solicit a representative number of women-owned businesses for each competitive procurement.

I must emphasize that we are not proposing a set-aside program for women. Most of the women who testified at the hearing were opposed to this idea. Rather, it is hoped that these affirmative actions will help women-owned business to obtain their fair share in the procurement area.

## POOR STATISTICAL DATA

The information and data available concerning women's business ownership is inadequate for present needs. Primary information sources are incomplete, provide inconsistent data, and utilize differing definitions of what constitutes a women-owned business. Moreover, lag time is often as much as 4 years between the time of data collection and published reports.

To obtain better data, therefore, the legislation would require both the Federal Government to significantly improve its data collection regarding women-owned businesses. The bill would require the Bureau of Labor Statistics, the Bureau of the Census, and SBA to in-

clude information and data on sole proprietorships, partnerships, and corporations in any reports they may prepare on women-owned business. The bill would also require Federal agencies to report the number of women-owned businesses and the number of socially and economically disadvantaged businesses that are first time recipients of contracts from the agency.

## INEFFECTIVENESS OF CURRENT FEDERAL POLICY

Approximately 10 years ago, a flurry of activity, fostered in part by the observance of the United Nation's Decade for Women, focused national attention on women's business enterprise. In late 1976, under President Ford, the first National Census of Women Business Owners was published.

In November 1977, the first National Women's Conference sponsored by the Federal Government was held in Houston and resulted in a conference report that recommended the establishment of a government policy to provide greater opportunities for women-owned business. An interagency task force on Women Business Owners was appointed by the President in 1977 and in 1978 the task force published its report "The Bottom Line: Unequal Enterprise in America." An Interagency Committee on Women's Business Enterprise was later created to implement the recommendations of the President's Task Force.

Executive Order 12138 created a National Women's Business Enterprise Policy and prescribed arrangements for developing, coordinating, and implementing a national program for women's business enterprise. The Executive order provided for affirmative action by Federal agencies to facilitate and to strengthen and support such enterprises, to discourage and prohibit discrimination, and to create programs responsive to the special needs of women as entrepreneurs. Such activities were to include management, technical, financial, and procurement assistance; education, training and information dissemination; and procurement.

The Executive order established an Interagency Committee on Women's Business Enterprise to oversee the action ordered, develop goals, policies, and guidelines, mobilize resources, design innovative plans, promote research, convene and consult with experts, and assess progress. The Federal agencies were to assist and cooperate. The Small Business Administration [SBA] was given the responsibility of providing an executive director, adequate staff, and administrative support.

The Interagency Committee, however, has not been effective. For example, in recent years, SBA business loans to women have actually decreased in numbers, dollar amounts, and as a percentage of total loans. Loan figures for the past 4 years indicated that in 1984, women received 2,103 business loans, or a total of 10.7 percent of the total number of loans to all businesses, for a total of \$212.6 million. In 1987, those figures had fallen to 1,565 loans, or 10.1 percent of total loans, for a total of \$203.3 million.

The Interagency Committee still operates, but without any power or purpose. The committee issued its first annual report in 1980. The next annual report was not issued until September 1987. That report contained a

one-page introduction, 15 paragraphs of text spread across 6 pages, and the rest of the 100-page report consisted of an appendix containing statistics, reprinting material, and a summary of 5 meetings. The report is an embarrassment and a waste of taxpayer's money.

In sum, a national policy to emphasize support of women's business enterprise must be developed because past efforts of the Federal Government—across all administrations—have been generally ineffectual.

In order to review, update, and reform Federal policy toward women-owned business, the legislation would create a nine-member National Women's Business Council made up of high level private sector representatives and Government policymakers. The Council would include the SBA Administrator, the Secretary of Commerce and the Chairman of the Federal Reserve. The Council would be required to submit to the President and the Congress, by December 31, 1989, a multiyear plan of action, with specific goals and timetables, to support women-owned business. The Council would differ from the present interagency committee in at least three important ways. First, it would include private sector representatives rather than just agency employees. Second, it will be made up of high-level Government officials in policy positions rather than career employees. Third, it will be a policymaking institution—the interagency committee would continue as the implementer of the policies formulated by the Council. The Council would be charged with examining the problems of women-owned business at the State and local level. It would also study the many innovative State and local programs which the States and local governments—and private sector—have established to serve this new area of the economy.

I believe this legislation is a good start in addressing the needs of women entrepreneurs. Women-owned business has become a major economic power, and constitutes a pool of talent and energy unprecedented since waves of immigrants reached our shores. Women as owners of their own businesses, represent a major source of innovation and productive vigor, and our society needs to support and sustain this economic revolution to the fullest extent possible.

Mr. Speaker, if any "theme" emerged from our congressional hearings, it was this: It is vitally important for our future standard of living and international competitiveness that public policy affirm and assist women's business ownership. There can be no adequate amendment of the American economy today without taking into account the activities and concerns of women entrepreneurs. And as an integral part of that public policy effort, the remaining barriers to women's entrepreneurship must be eliminated. I will soon be submitting separately for the RECORD a detailed section-by-section analysis of the bill.

## THE FREDDIE MAC STOCK SALE: WINNERS AND LOSERS

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Wisconsin [Mr. KLECZKA] is recognized for 10 minutes.

Mr. KLECZKA. Mr. Speaker, yesterday's action by the governing board of the Federal Home Loan Mortgage Corporation to allow the public sale of nonvoting stock should gladden the hearts of certain well-positioned savings and loan institutions.

The Board's action hands these thrifts windfall profits while effectively precluding a sharing of any gain with the beleaguered Federal Savings and Loan Insurance Corporation.

Those of us in the Congress looking for options other than tax dollars to resolve the FSLIC funding crisis are less than amused.

Let's take a look at who the big winners are as a result of the FHLMC's decision to allow the 15 million shares of preferred stock to be sold publicly for the first time. Since, by all accounts, these shares are undervalued due to the ownership restrictions required by this Congress, those thrifts which now hold shares stand to reap huge profits—probably in excess of \$1 billion.

According to the American Banker, here is a list of Freddie Mac's top stockholders as of June and the number of shares held:

Institution	Shares held
1. American S&L, CA	301,594
2. Great American First Savings, CA	240,377
3. Great Western Savings, CA	226,707
4. Main Line Federal Savings, PA	150,000
5. American Savings, CA	150,000
6. Citicorp Savings, FL	150,000
7. Citicorp Savings, CA	150,000
8. World Savings and Loan, CA	150,000
9. Imperial Savings and Loan, CA	150,000
10. Mutual Savings and Loan, CA	150,000
11. Great American First Savings, CA	150,000
12. First Federal of Michigan	150,000
13. California Federal Savings	144,092
14. First Federal Savings and Loan, AZ	119,496
15. Citicorp Savings of Washington, DC	128,828
16. First Federal Savings Bank of Ohio	123,609
17. Georgia Federal Savings and Loan	120,541
18. Great Lakes Federal Savings, MI	116,162
19. Commercial Federal Savings, NE	113,599
20. Security Savings and Loan, WI	112,633

As this list indicates, Citicorp alone controls 428,828 shares of the 15,000,000 shares of preferred stock.

As a result, this very large corporation makes out quite well.

How many dollars go to the FSLIC? Zero.

It did not have to be this way. Senate Banking Committee Chairman PROXMIRE had been working on a plan to ensure that some of the benefit from the public sale of FHLMC preferred stock be recouped by the FSLIC.

Such an approach is only fair. While individual thrifts are entitled to share in gains on preferred stock, the emphasis should be on the word "share." Remember, the FHLMC issued the \$15 million in preferred stocks free of charge to the Federal Home Loan Banks in December 1984, in part to establish a type of

"return on equity" to the Banks, which had capitalized the FHLMC in 1970. The Banks distributed the shares to member thrift institutions based on their holdings of FHLB stock.

A sharing of a gain in stock value, however, is not to be. The Board's action blows the PROXMIRE approach—a taxpayer-oriented approach which I support—out of the water. While public sale of stock may well have a marginal effect on certain insolvent thrifts, the Wall Street Journal reported today:

Insolvent thrifts own less than 11 percent of Freddie Mac's preferred stock, so much of the benefit will go to healthier institutions. The windfall won't do much to help the FSLIC or lessen the likelihood of a taxpayer bailout of failing institutions.

In essence, the action of the Board ensures that the profits associated with Federal involvement in a beleaguered industry will go directly to the industry, particularly the healthy part of the industry. The losses, however, accrue to FSLIC—and the taxpayer.

If anyone doubts that certain beneficiaries of the FHLMC's largesse are not in need of a federally backed windfall, a comparison of recent thrift executive salary increases with the list of the top 20 FHLMC stockholders I earlier included in the RECORD will be illuminating. Some of the thrifts which will benefit greatly from the Board action have recently granted hefty salary increases to their executives. At this point, I would like to include in the RECORD an American Banker list of the 100 highest paid executives at publicly held thrifts which notes salary increases.

#### THE 100 HIGHEST PAID EXECUTIVES AT PUBLICLY HELD THRIFTS

[1987 data compiled from proxy statements by SNL Securities Inc.]

	Compensation <sup>1</sup>	Percent increase
1. Thomas Spiegel, Columbia Savings, Chief Executive Officer	\$4,460,000	15.5
2. Charles H. Keating Jr., American Continental Corp., Chairman	1,954,914	10.1
3. Robert R. Dockson, CalFed Inc., Chairman	1,136,233	16.5
4. James F. Montgomery, Great Western Financial, Chairman	1,128,500	4.3
5. David A. Sachs, Columbia Savings, Senior VP	1,040,000	98.1
6. George P. Rutland, CalFed Inc., President	948,894	11.6
7. Robert J. Kelly, American Continental Corp., Senior VP	873,962	17.2
8. Charles H. Keating 3d, American Continental Corp., Executive VP	863,494	7.9
9. Judy J. Wischer, American Continental Corp., President	839,693	NA
10. Richard H. Deihl, H.F. Ahmanson & Co., Chairman	837,750	7.4
11. Kenneth J. Thygeson, Imperial Corp. of America, President	806,250	7.5
12. David L. Paul, CentTrust Savings Bank, Chairman & President	761,625	39.1
13. Robert B. O'Brien Jr., Carteret Bancorp., Chairman	756,139	20.5
14. Donald L. Thomas, Anchor Savings Bank, Chairman	747,436	10.0
15. Gordon C. Luce, Great American First SB, Chairman	732,723	21.6
16. Merrill Butler, Financial Corp. of America, Executive VP	730,897	34.
17. Herbert M. Sandler, Golden West Financial, Chairman	702,134	38.8
18. Marion O. Sandler, Golden West Financial, President	695,164	36.5
19. John F. Maher, Great Western Financial, President	678,325	33.3
20. Abraham Spiegel, Columbia Savings, Chairman	660,000	14.6
21. Raymond D. Edwards, GlenFed Inc., Chairman	650,165	34.2
22. R. M. Wurzelbacher Jr., American Continental Corp., Senior VP	647,129	NA
23. William F. Ford, Broadview Savings Bank, Chairman	621,499	62.1
24. Lawrence Weissberg, Homestead Financial, Chairman & President	618,442	-39.8
25. Kim Fletcher, Home Federal Savings and Loan, Chairman	617,036	13.3

#### THE 100 HIGHEST PAID EXECUTIVES AT PUBLICLY HELD THRIFTS—Continued

[1987 data compiled from proxy statements by SNL Securities Inc.]

	Compensation <sup>1</sup>	Percent increase
26. Thomas R. Bomar, AmeriFirst Bank FSB, Chairman	602,000	2.1
27. Theodore H. Roberts, Talman Home Federal Savings, Chairman	600,000	0.0
28. William J. Levy, County Savings Bank, Chairman	590,235	13
29. Ross B. Kenzie, Goldome FSB, Chairman	565,594	-2.1
30. Jenard M. Gross, United Financial Grp., Chairman & President	564,518	13.3
31. Mario Antoci, H.F. Ahmanson & Company, President	558,500	12.6
32. Luke A. Balone, CrossLand Savings FSB, Chairman	549,894	10.6
33. James C. Schmidt, Great America First SB, Vice Chairman	547,672	20.3
34. Frank Wille, Greater New York Savings Bank, Chairman & CEO	542,500	72.2
35. David E. Blackford, Far West Financial, President	540,882	-2.8
36. Harry W. Albright Jr., The Dime Savings Bank of NY, Chairman	540,433	1.5
37. William A. Fitzgerald, Commercial Federal Corp., President	539,982	58.8
38. William J. Popejoy, Financial Corp. of America, Chairman & President	536,617	3.0
39. Michael M. Pappas, Great Western Financial, President of Finance Div.	536,617	NA
40. Victor H. Indiek, Financial Corp. of America, Executive VP	536,275	88.0
41. Ray Martin, Coast Savings, Chairman	533,406	32.5
42. Clifford J. Piscitelli, Far West Financial, Executive VP	533,400	-36.7
43. Anthony C. La Scala, Great Western Financial, Executive VP	513,500	0.7
44. E.R. Hoffman, Great Western Financial, Executive VP	513,500	3.0
45. E. Virgil Conway, Seamen's Corp., Vice Chairman	512,000	-2.5
46. Norman M. Coulson, GlenFed Inc., Vice Chairman	503,291	48.7
47. James A. Aliber, First Federal of Michigan, Chairman	501,078	21.3
48. John R. Lakian, Merchants Cap Corp., Chairman & Co-CEO	496,752	NA
49. Albert H. Hogerson Jr., Home Owners Federal Savings, President	492,011	66.7
50. Robert F. Adelizzi, Home Federal Savings and Loan, President	489,570	17.8
51. Maurice L. Reisman, CrossLand Savings FSB, President	475,700	44.8
52. Thomas J. Owen, Perpetual Savings Bank FSB, Chairman	475,200	10.0
53. Alfred J. Hedden, CityFed Financial Corp., President	473,523	-5.2
54. Donald F. McCormick, Howard Savings Bank, Chairman	470,501	18.4
55. Walter A. McDougal, Richmond Hill Savings Bank, Chairman	466,733	138.9
56. Thomas R. Ricketts, Standard Federal Bank, Chairman & President	462,262	13.0
57. William L. Walde, Dominion Federal Savings, Chairman	460,236	1.6
58. Joseph C. Scully, St. Paul Bancorp., President	450,019	13.6
59. William Belzberg, Far West Financial, Chairman	450,000	0.1
60. Jerome R. McDougal, Apple Bank for Savings, Chairman	448,638	NA
61. Herbert J. Young, Gibraltar Financial Corp., Chairman	445,216	-19.1
62. William L. Callender, CalFed Inc., President of Subs.	435,076	29.9
63. Kent Dixon, Northeast Savings, Chairman	433,424	71.6
64. John B. Swager, Fortune Financial Group Inc., Chairman & President	432,301	9.5
65. John W. Sapanski, Dime Savings Bank of NY, President	429,000	7.5
66. Walter D. Shealy 3d, CentTrust Savings Bank, Senior Executive VP	421,877	53.4
67. Junius F. Baxter, Western Capital Investment, Chairman	419,013	2.6
68. Robert J. Spiller, Boston Five Cents Savings Bank, Chairman	414,977	23.5
69. Philip R. Brinkerhoff, Financial Corp., Santa Barbara, Calif., Chairman & President	412,000	-36.2
70. Paul A. Willax, Empire of America, Chairman	411,899	-25.0
71. Barry Munitz, United Financial Group, Chairman Exec. Comm.	409,496	11.7
72. Kevin E. Villani, Imperial Corporation of America, Executive VP	408,000	20.0
73. Louis H. Pepper, Washington Mutual Savings Bank, Chairman	402,073	38.0
74. Paul E. Rapchak, Washington Federal Savings-DC, President of Subs.	401,432	33.8
75. John T. Morgan, American Savings Bank, Chairman	401,071	-1.5
76. David Rosenthal, Columbia Savings, Executive VP	400,000	NA
77. Donald C. Headlund, Valley Federal Savings, President	395,679	NA
78. William F. Olson, Peoples Westchester SB, Chairman & President	394,296	-5.0
79. John M. Robbins Jr., Imperial Corp. of America, Executive VP	394,197	17.6



## THE 100 HIGHEST PAID EXECUTIVES AT PUBLICLY HELD THRIFTS—Continued

[1987 data compiled from proxy statements by SNL Securities Inc.]

	Compensation <sup>1</sup>	Percent increase
80. Paul E. Ruch, Goldome FSB, President	392,264	4.6
81. Alfred W. Archibald, The Boston Bancorp, Chairman	387,503	-9.2
82. Frederick S. Hammer, Meritor Financial Group, Chairman	383,464	-16.9
83. Larry W. Reed, Columbia Savings, Senior VP	375,000	-8.5
84. John D. Driggs, Western Savings and Loan, Chairman	372,851	-9.9
85. Gary H. Driggs, Western Savings and Loan, President	372,851	-909
86. Jack D. Burstein, American Capital Corp., President	371,912	23.0
87. Robert D. Pierson, Carteret Bancorp, Vice Chairman	369,052	13.5
88. Robert J. Mueller, Carteret Bancorp, President	369,052	13.5
89. Maurice L. McAllister, Downey Savings and Loan, President	367,765	-2.3
90. Britt Evans, Homestead Financial, Executive VP	365,561	-29.3
91. Donald R. Caldwell, Atlantic Financial Federal, President	365,510	5.1
92. Keith P. Russell Jr., GlenFed Inc., Senior Executive VP	364,499	40.4
93. Robert R. Masterton, The One Bancorp, Chairman & President	364,440	NA
94. Roger K. Lindland, Great American First SB, Senior Executive VP	363,520	33.6
95. Roy E. Weber, Great Lakes Bancorp FSB, Chairman & President	363,445	40.8
96. Richard R. Laine, The Boston Bancorp, President	363,166	-13.7
97. George Graboys, Citizens Financial Group Inc., President	360,765	4.9
98. David E. Bradbury, Co-Operative Bancorp, Chairman	360,000	NA
99. William S. Mortenson, FirstFed Financial Corp., Chairman	359,820	4.8
100. William S. Bushnell, Amoskeag Bank Shares Inc., Chairman	359,436	23.4

<sup>1</sup>Compensation is shown for the latest fiscal year and is annualized if paid for only a partial year. Bonus, salary, deferred compensation, and other forms of cash-equivalent compensation are shown together. Deferred compensation and bonuses, where applicable, are shown for the amount accrued during the fiscal year. Compensation does not include the premium value of stock options exercised or stock options awarded.

## H.R. 5015, DROUGHT ASSISTANCE ACT OF 1988

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky [Mr. HUBBARD] is recognized for 60 minutes.

Mr. HUBBARD. Mr. Speaker, on Thursday, July 28, we in the U.S. House of Representatives will have the opportunity and the responsibility to enact H.R. 5015, the Drought Assistance Act of 1988. We are all aware of the tragic situation occurring across America, and it is imperative that we pass responsible legislation that seeks to relieve those who have been devastated by the drought.

Personally, I am saddened we didn't take up this bill today prior to our leaving for a 1-week recess. H.R. 5015 is an all-encompassing act that takes steps to relieve farmers and those involved in the commodity industry and to set a precedent by implementing a national policy that ensures future relief in case of a similar situation. This legislation contains provisions to assist livestock producers, corn producers, payment limitations, advanced deficiency payments, FmHA loans, dairy price support, commodity stock adjustment, conservation and wildlife enhancement, water related projects, and rural business.

This is not legislation that can be taken lightly or put off any longer. We in the Congress must act expeditiously to enact this bill and help our ailing farm industry.

I urge my colleagues to give favorable consideration of H.R. 5015 for the sake of those crippled by this drought. We've waited too long.

The following is a summary of the major provisions of H.R. 5015:

## ASSISTANCE TO LIVESTOCK PRODUCERS

Establishes a new program, effective 15 days after enactment, to replace current EFP/EFAP livestock assistance programs and authorize other forms of livestock assistance (e.g., feed donations, transportation assistance);

Extends producer eligibility to (1) those with a substantial loss of feed production and (2) producers who do not grow their own feed—for protection of foundation herds (subject to undue hardship rule of section 407) and other assistance subject to the discretion of the Secretary of Agriculture;

Eligible livestock include cattle, sheep, goats, swine, poultry (including egg producers), horses and mules (used for food or food production), fish for food, and other animals designated by the Secretary of Agriculture, that are part of a foundation herd or offspring or are purchased as a part of normal operations;

## ASSISTANCE TO CROP PRODUCERS

Would provide disaster payments to any producer of annual commercial crops who lose 35 percent of their 1988 crop due to the drought;

Reduced yield and prevented planting disaster payments provided to wheat, feed grains, cotton, and rice program participants at a rate of 65 percent of the 1988 target price or 65 percent of the county loan rate for non-participants who raise program crops;

For peanuts, sugar beets, sugarcane, and tobacco producers, payments at a rate of 65 percent of the 1988 price support level;

For nonprogram crops, payments at a rate of 65 percent of the average producer market price of the last 5 years;

Crop insurance participants would receive their insurance benefits and disaster payments up to an amount that does not exceed income that would result from normal crop yield;

The program would be operated through CCC, without outlays subject to normal appropriations.

## PAYMENT LIMITATIONS

For livestock producers, federal assistance could not exceed \$50,000 benefits;

Combined benefits to each person (including livestock assistance) could not exceed \$100,000.

## ADVANCED DEFICIENCY PAYMENTS

Producers will not be required to repay advance deficiency payments on any unit of production that failed or was prevented from planting due to the drought, unless that unit of production received a disaster payment.

## FmHA LOANS

The Secretary of Agriculture is directed to take steps to assist business affected by the drought by making operating loans available for 1989 production;

The Secretary of Agriculture is encouraged to aid producers affected by drought

by exercising forbearance on the collection of loan proceeds, restructuring credit, and encouraging commercial lenders in FmHA to exercise forbearance before declaring loans in default.

## DAIRY PRICE SUPPORT

The Secretary of Agriculture is directed to forego the 50 cents per hundred weight price support cut to occur on 1/1/89.

## COMMODITY STOCK ADJUSTMENT

Producers are permitted to plant soybeans and sunflowers on not less than 10 percent nor more than 35 percent of their wheat, feed grain, upland cotton, or rice program acreage in 1989 and 1990;

Producers are permitted to designate any portion of the farm acreage base as oats base in 1989 and 1990 if the feed grain acreage reduction program requirements are less than 12.5 percent of the crop acreage base;

For the 1988 marketing year, once the release price for farmer-owned reserve loans is reached, producers could repay loans without penalty regardless of market price.

## CONSERVATION AND WILDLIFE ENHANCEMENT

Encourages conservation and wildlife enhancement practices on CRP lands by refunding 25 percent of a producer's rental payments withheld on lands hayed if the producer shares (50/50) the cost of carrying out such practices.

## WATER RELATED PROJECTS

The Secretary of Agriculture is authorized to make grants and provide other assistance to combat water shortages.

## RURAL BUSINESS

Directs the Secretary of Agriculture, to the maximum extent possible, to assist business adversely affected by drought through the business and industry loan program.

Directs the Secretary of Agriculture to conduct a survey of Agribusiness affected by the drought.

As a Member of Congress representing 24 counties in western Kentucky and representing tens of thousands of farmers struggling and suffering this year, this month, and, yes, this day because of the unusual lack of rain this summer in our area and in most rural areas across America, I urge my House colleagues to support H.R. 5015 as we consider it in the House 2 weeks from today.

## THE WOMEN'S BUSINESS OWNERSHIP ACT OF 1988

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. McDADE] is recognized for 5 minutes.

Mr. McDADE. Mr. Speaker, today I am pleased to introduce, together with Chairman JOHN LAFALCE, landmark legislation to foster increased entrepreneurship among women and to assist the development and growth of women-owned businesses in America. I want to commend Chairman LAFALCE for his leadership in focusing attention on women in business, exploring critical issues and problems confronting them, and developing a legislative action plan and agenda for assisting female entrepreneurs.

Women are having a profound impact on the economy as an increasing number leave their current jobs and employers to become

their own bosses by starting and managing small businesses. Women's business ownership continues to expand more rapidly than ownership by men. According to one estimate based on Internal Revenue Service data, women-owned businesses grew 47 percent between 1980 and 1985. In comparison, men-owned firms grew 31 percent during the same period.

Today 3.7 million of the more than 13 million sole proprietorships nationwide are owned by women, nearly double the 1.9 million such firms they owned 10 years ago. Female-owned businesses are making substantial contributions to the U.S. economy. It is estimated that the revenues generated by these enterprises exceed \$100 billion annually. Firms started and operated by women pay approximately \$37 billion in Federal taxes and contribute an additional \$13 billion in combined State and local levies. Such businesses are a major source of employment for women and other Americans. According to one estimate by the U.S. Small Business Administration, one-half of all self-employed people will be women by the end of this century.

Mothers, daughters, grandmothers, wives, housewives, and single females from all strata of American society have caught the spirit and vision of entrepreneurial ownership. They are challenging anew old assumptions and shattering myths about their abilities as they meet the challenges of owning and operating businesses with determination, tenacity, and a will to succeed. They have built new-found confidence in their abilities to manage, to lead, and to achieve bottom-line results. Today's woman in business belongs to a new breed of American entrepreneur—she is a can-do, tough-minded, goal-oriented entrepreneur who also brings compassion and caring to the workplace and demonstrates concern for her employees.

As women pursue opportunities and complete, they are setting new standards of performance and are reaching for and achieving new plateaus of excellence and success. Women in business are infusing America with a new entrepreneurial energy and an infectious enthusiasm. They are literally changing the face of the American economy as they travel the high-road leading to success. Today's women in business exhibit the highest ideals and aspirations of the American tradition of free enterprise.

Our Nation is enriched by the increased participation of women in the free enterprise system. That is the purpose of the legislation that I am introducing today with Chairman LAFALCE. Government, if it is to serve, and serve it should, must facilitate the development and growth of women-owned business. Yet, it must do more. It must remove barriers that impede the development and growth of female-owned enterprises and restrain their participation in the free enterprise system. The Women's Business Ownership Act of 1988 will broaden the participation of women in business by guaranteeing opportunity and eliminating obstacles.

Our bill addresses problems and needs identified by women business owners and seeks to enhance female entrepreneurship by providing new opportunities. The bill authorizes the creation of a 3-year, \$10 million pro-

gram to finance public/private partnership aimed at providing management training and technical assistance to women business owners. Efforts are also made to boost their participation in Federal Government procurement programs and to increase their share of contract awards.

Barriers blocking women's access to capital and credit are addressed. A national women's business council, authorized to be created, will require the submission of a comprehensive plan of action, with specific goals and timetables, to support women in business. Furthermore, improved collection of data will ensure that Congress and the administration can adequately review the progress of the program and the women it serves.

I'd like to say to the women of this Nation that your country has a need for your talents, your expertise, and your leadership. Enactment of this legislation will ensure greater participation of women in the economic mainstream and provide more opportunity than ever before. It is my hope it will stimulate women entrepreneurship in America so that it will grow and prosper like never before.

□ 1715

#### NATIONAL FOREST SYSTEM DRUG ENFORCEMENT AND PROTECTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon [Mr. WYDEN] is recognized for 5 minutes.

Mr. WYDEN. Mr. Speaker, I rise today to take the time of the House to discuss a very serious problem, a problem that is of particular importance in our region, but also a growing problem for our country, and that is the use of our precious forest lands for the production of illegal drugs.

Mr. Speaker, I have been working very closely with the Forest Service on this matter. They have given me information that indicates that 30 percent of all domestically grown marijuana is now produced in the Federal forests.

Now what this indicates to me is in effect the Federal Government has become one of the major drug landlords in the United States as a result of our Federal forests, our precious Federal forests, being used for the production of illegal drugs.

Mr. Speaker, we have a particular problem in my home State of Oregon. We are third in the country in terms of marijuana production, also in terms of methamphetamine production, when the fact of the matter is that the forests in the Western States have become a major breeding ground of these drug criminals.

Mr. Speaker, it is easy to see why in rural and isolated areas, areas where law enforcement may face serious budget restrictions, these isolated areas are ideal places for drug criminals and drugs rings to flourish, and it seem to me that we ought to be doing everything we can at the Federal level to help local law enforcement officials

fight this drug menace, but unfortunately we have the situation, as the U.S. attorney in Oregon, Mr. Charles Turner, has pointed out in a letter that I am going to be making a part of my remarks. In his letter he shows that the Forest Service is hampered in the effort to try to deal with drug activity.

In effect the Forest Service in our country, when a drug crime originates on Forest Service land, the Forest Service is not permitted to go off the land in hot pursuit or simply to do a basic investigation to follow up on the criminal activity. It is absurd that we restrict them in my view. It is a restriction that the Forest Service does not face in any other area of law enforcement; for example, if there has been a timber theft, or an arson, or a criminal problem of that nature. The Forest Service is allowed to leave Forest Service land, and follow it up and follow it up promptly, but with respect to drug activity, and particularly drug activity of the magnitude that we are seeing in this country now, the Forest Service simply cannot follow up on drug crimes which originate on the Forest Service land and then move off those lands for the criminals to carry out their activities.

I have recently introduced legislation, Mr. Speaker, the National Forest System Drug Enforcement and Protection Act, which would lift the restrictions on the Forest Service in this area and grant to specially trained Forest Service agents the power to arrest, conduct investigations, and searches and seizures off the national forest land if the drug crime does originate on the Federal system's lands.

In addition, Mr. Speaker, my bill would enhance Forest Service cooperation with State and local law enforcement groups by encouraging active cooperation in the local and regional drug task forces that we have around the country.

Now to try to get additional information to make the case for my legislation, Mr. Speaker, I requested that the Forest Service analyze the environmental impact of cannabis production in the Nation's Forest Service lands. What the Forest Service found were poisonous chemicals around these gardens, chemicals that leach into the streams and ground water and kills plants and wildlife, and in their analysis that they did for me that was just part of the damage. When these chemicals work their way into the food chain, they can also endanger the protected species that we have, like eagles which prey on smaller animals.

Now my legislation would put in place new stiff penalties for the unauthorized use of these chemicals in the Federal forests. By making it a crime to use these chemicals, we would also provide law enforcement agents with



another avenue to process felons, and we would be taking a positive step toward protecting the environment against the ravages of this illegal activity.

Now, Mr. Speaker, this legislation in my view will be of great benefit to my State, but it comes at a particularly important time, and, as many of our colleagues know, the Western Governors Association recently met, and the Governors of Washington, Oregon, and Idaho all met together to announce a joint effort to try to fight drugs on the lands in their States. And it is a very logical effort, and the Governors in my view have made a very sensible step because without this joint effort what we are going to see in the West and other parts of the country is that the drug criminals will just go from State to State as they begin to find jurisdictions that may not be able to keep up with them.

So, Mr. Speaker, I think that our legislation, by giving the Federal Government the opportunity to help the States and to follow up on the ideas of the Governors, I think our legislation comes at an ideal time, and I particularly want to commend the Governor of the State of Oregon, Governor Goldschmidt, who has made the point, and I think correctly, that the Federal Government ought to be doing more, ought to be a better partner in the effort to fight drugs in the West. And I think my legislation, by giving the Forest Service these additional powers, does address exactly what Governor Goldschmidt had in mind, which is to get the Federal Government being a better partner with State law enforcement officials and particularly using those Forest Service resources to fight drugs.

Now recently I toured southern Oregon and learned more about the drug enforcement issues as they affect public lands in that part of the State. I met with one southern Oregon sheriff, Josephine County Sheriff William Arnado, who told me last summer that the market value of marijuana grown in his area is skyrocketing due to its national reputation for high quality. Sheriff Arnado estimated the street cost of Josephine County marijuana has increased by 500 percent over 1985 levels. Obviously, with marijuana so valuable, growers are going to extraordinary lengths to protect their crops.

Now Sheriff Arnado took me during that visit to his evidence room, and the array of weapons that were being used to defend these marijuana fields was enough to make any Member's blood run cold. I saw a 50-caliber anti-aircraft weapon that was captured in Josephine County, OR. In one raid of a methamphetamine lab that was really very close to Federal forest lands the sheriff had seized a cache of weapons that could outfit a small army. This arsenal of 51 guns included

an M-60 machinegun, an Uzi machinegun, two Browning 50-caliber M-6 machineguns, an M-14 semiautomatic rifle, a variety of automatic weapons, something like a hundred thousand rounds of ammunition and more than \$100,000 in gold, silver, and currency.

Now, Mr. Speaker, when a sheriff in a small rural county is up against these kinds of odds, it seems to me that that alone demonstrates that the Federal Government ought to try to reach out to help these officials with additional assistance in fighting drugs.

I think it was best put by a local law enforcement official to me that the current situation for a local law enforcement official, particularly in the West and on the public lands, is a little bit like Godzilla trying to take on Godzilla with a fly swatter. They are just outnumbered and simply do not have the resources to keep up, and it would be clear, I think, to all our colleagues in the small rural parts of the country that the very same kind of thing that is happening in Oregon is happening in their area as well.

Now one other argument I think that makes the case for strategy that really beefs up our effort to fight drugs on these Western lands is, I am convinced, Mr. Speaker, if we can control drugs there, what we will be doing is controlling drugs at their source, and, if drugs can be controlled at their source, then the drugs do not go out from those communities and into the more populous, more metropolitan areas of the country.

So, when we ask for additional help in terms of fighting drugs on Federal lands, and in the West and in the smaller rural areas of the country, I think we are engaging in a sound anti-drug, anticrime strategy for the whole country because we will have a chance to stop drugs at their source, keep them from going to the more metropolitan areas.

Now, Mr. Speaker, I am pleased to say that my legislation in its material respects has been included in several of the committee recommendations that have gone to the distinguished majority leader, the gentleman from Washington [Mr. FOLEY], for consideration. As the Speaker knows, we are now in the business of looking at the variety of recommendations that have come from the various committees. The Committee on Agriculture has been very helpful in the consideration of this, and I want to commend the gentleman from Missouri [Mr. VOLKMER], in particular, and the gentleman from Minnesota [Mr. VENTO], the Interior Committee chairman, who has been very helpful. Our colleague from New Jersey, Mr. HUGHES, who chairs the Subcommittee on Crime in the Committee on the Judiciary has been most helpful, and in most material respects my legislation has received accommodation from the leaders from

three of our principal committees, the Committee on Agriculture, the Committee on the Interior, and the Committee on the Judiciary.

So, Mr. Speaker, I am very hopeful that in the final consideration of the drug legislation, when we move to consider it on this floor, we will pass the National Forest System Drug Enforcement and Protection Act. The legislation in my view is a cost-effective step. We will be doing a little more than giving the Forest Service the ability to follow up promptly on drug violations by having the same sort of powers that they have for any other criminal activity that originates on Federal forest lands.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HUTTO (at the request of Mr. FOLEY), after 2:30 p.m. today, on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BATEMAN) to revise and extend their remarks and include extraneous material:)

Mr. BATEMAN, for 5 minutes, today.

Mr. WALKER, for 5 minutes, today.

Mrs. BENTLEY, for 60 minutes, on July 28.

Mrs. BENTLEY, for 60 minutes, on August 2.

Mrs. BENTLEY, for 60 minutes, on August 3.

Mrs. BENTLEY, for 60 minutes, on August 4.

Mrs. BENTLEY, for 60 minutes, on August 8.

Mrs. BENTLEY, for 60 minutes, on August 9.

Mrs. BENTLEY, for 60 minutes, on August 10.

Mrs. BENTLEY, for 60 minutes, on August 11.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. STARK, for 5 minutes, today.

Mr. VENTO, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. FASCELL, for 5 minutes, today.

Mr. LaFALCE, for 15 minutes, today.

Mr. KLECZKA, for 10 minutes, today.

Mr. HUBBARD, for 60 minutes, today.

Mr. DYSON, for 60 minutes, today.

(The following Member (at the request of Mr. HUBBARD) to revise and extend their remarks and include extraneous material:)

Mr. McDADE, for 5 minutes, today.

(The following Member (at his own request) to revise and extend their remarks and include extraneous material:)

Mr. WYDEN, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BATEMAN) and to include extraneous material:)

Mr. OXLEY in two instances.  
Mr. GUNDERSON.  
Mr. CRANE in five instances.  
Mr. DENNY SMITH.  
Mr. RITTER in two instances.  
Mr. BUECHNER.  
Mr. CONTE.  
Mr. ROWLAND of Connecticut.  
Ms. SNOWE.  
Mr. TAUKE.  
Mr. EMERSON.  
Mr. KEMP.  
Mr. WYLIE.  
Mr. GRADISON.  
Mr. DORNAN of California.  
Mr. ROTH.  
Mr. HEFLEY.  
Mr. YOUNG of Alaska.  
Mr. SHUMWAY.  
Mr. HAMMERSCHMIDT.  
Mr. GILMAN in two instances.  
Mr. MACK.  
Mr. MILLER of Ohio in three instances.  
Mr. SMITH of New Jersey.  
Mr. THOMAS of California.  
Mr. SCHUETTE.  
Mrs. BENTLEY.  
(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)  
Mr. ROSTENKOWSKI.  
Mrs. KENNELLY.  
Mr. RICHARDSON.  
Mr. FASCELL in two instances.  
Mr. DWYER of New Jersey.  
Mr. HAWKINS.  
Mr. MURTHA.  
Mr. HUBBARD.  
Mr. KLECZKA.  
Mr. MARKEY.  
Mr. LEVINE of California.  
Mr. BERMAN.  
Mr. TALLON.  
Mr. RAHALL.  
Mr. YATRON.  
Mr. ATKINS.  
Mr. DORGAN of North Dakota.  
Mr. TRAFICANT.  
Mr. TALLON.  
Mr. LANTOS.  
Mr. STOKES.  
Mr. SIKORSKI.  
Mr. SKAGGS.  
Mr. ACKERMAN.  
Mr. LaFALCE.  
Mr. PANETTA.  
Mr. GRANT.  
Mr. MAVROULES.  
Mr. SMITH of Florida in two instances.

Mr. MATSUI.  
Mr. FAZIO.  
Mr. FEIGHAN.  
Mr. TORRICELLI.  
Mr. BORSKI.  
Mr. FAZIO.

#### ADJOURNMENT TO TUESDAY, JULY 26, 1988

Mr. WYDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the provisions of House Concurrent Resolution 335 of the 100th Congress, the House stands adjourned until 12 noon, Tuesday, July 26, 1988.

(Thereupon (at 5 o'clock and 28 minutes p.m.), pursuant to House Concurrent Resolution 335, the House adjourned until Tuesday, July 26, 1988, at 12 noon.)

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4000. A letter from the Acting Director, Defense Security Assistance Agency; transmitting notification of the Department of the Air Force's proposed letter(s) of offer to the United Kingdom for defense articles estimated to cost \$50 million or more (Transmittal No. 88-32), pursuant to 10 U.S.C. 118; to the Committee on Armed Services.

4001. A letter from the Deputy Secretary of Defense, transmitting notification of the transfer of funds in support of the Nicaraguan Democratic Resistance, pursuant to 10 U.S.C. 114 nt.; to the Committee on Armed Services.

4002. A letter from the Secretary of Education, transmitting a copy of final regulations for the Educational Research Grant Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

4003. A letter from the Inspector General, Department of the Treasury, transmitting a copy of an Internal Revenue Service internal audit report entitled, "Review of Reimbursable Superfund Costs—Fiscal Years 1984 through 1987," pursuant to 31 U.S.C. 7501 nt.; to the Committee on Energy and Commerce.

4004. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed letter(s) of offer and acceptance [LOA] to the United Kingdom for defense articles and services, with the annex thereto (Transmittal No. 88-32), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

4005. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 88-17 finding that the furnishing, sale and/or lease of defense articles and services to the Government of Sao Tome and Principe will strengthen the security of the United States and promote world peace; accompanying memorandum of justification, pursuant to AECA section 3(a); to the Committee on Foreign Affairs.

4006. A communication from the President of the United States, transmitting a report on the July 12, 1988, actions between

United States Forces and Iranian small boats in the Persian Gulf (H. Doc. No. 100-213); to the Committee on Foreign Affairs and ordered to be printed.

4007. A letter from the Secretary of Labor, transmitting notification of the determination that it is in the public interest to make a proposed contract award to the International Union of Operating Engineers without obtaining full and open competition, pursuant to 41 U.S.C. 252(c)(7); to the Committee on Government Operations.

4008. A letter from the Chief, Forest Service, Department of Agriculture, transmitting the boundary description and classification of the Saline Bayou Wild and Scenic River within the Kisatchie National Forest, LA; pursuant to 16 U.S.C. 1271-1287; to the Committee on Interior and Insular Affairs.

4009. A letter from the Executive Vice President, Non Commissioned Officers Association of the U.S.A., transmitting the annual report of the association, including financial statements, calendar year 1987, pursuant to Public Law 100-281; to the Committee on the Judiciary.

4010. A letter from the Chairman, Board of Governors, Federal Reserve System, transmitting the monetary policy report of the Board, pursuant to 12 U.S.C. 225a; jointly, to the Committees on Banking, Finance and Urban Affairs and Education and Labor.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONIOR: Committee on Rules. House Resolution 498. A resolution providing for the consideration of House Resolution 497, a resolution condemning the Government of Nicaragua's antidemocratic actions, calling for compliance with the Esquipulas II and Sapoa accords, and urging both sides to the Nicaraguan conflict to return to negotiations (Rept. 100-775). Referred to the House Calendar.

Mr. Kastenmeier: Committee on the Judiciary. H.R. 4310. A bill to extend for an additional 5-year period certain provisions of title 17, United States Code, relating to the rental of sound recordings; with amendments (Rept. 100-776). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1855. A bill to amend the Public Health Service Act to extend programs for health information and health promotion; with an amendment (Rept. 100-777). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1861. A bill to amend the Public Health Service Act to extend the program of block grants for preventive health and health services, and for other purposes; with an amendment (Rept. 100-778). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAWKINS: Committee on Education and Labor. H.R. 4872. A bill to establish education and prevention programs relating to the illicit use of drugs by youth; with an amendment (Rept. 100-779). Referred to the Committee of the Whole House on the State of the Union.



Mr. UDALL: Committee on Interior and Insular Affairs. S. 795. A bill to provide for the settlement of water rights claims of the La Jolla, Rincon, San Pasqual, Pauma, and Pala Bands of Mission Indians in San Diego County, California, and for other purposes; with an amendment (Rept. 100-780). Referred to the Committee of the Whole House on the State of the Union.

### SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of Rule X the following action was taken by the Speaker:

H.R. 4519. The Committees on Education and Labor and Merchant Marine and Fisheries discharged from further consideration of H.R. 4519; H.R. 4519 referred to the Committee of the Whole House on the State of the Union.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROSE:

H.R. 5042. A bill to provide Federal recognition for the Lumbee Tribe of North Carolina; to the Committee on Interior and Insular Affairs.

By Mr. FRANK (for himself, Mr. GLICKMAN, Ms. KAPTUR, Mr. WOLPE, Mr. MORRISON of Connecticut, Mr. CARDIN, Mr. SHAW, Mr. NAGLE, Mr. BRYANT, Mr. SHAYS, Mr. SPRATT, Mr. CARPER, Mr. DIOGUARDI, Mr. COLEMAN of Texas, and Mr. SHARP):

H.R. 5043. A bill to amend section 207 of title 18, United States Code, relating to restrictions on post-employment activities; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 5044. A bill to establish a tax on short-term capital gains, and for other purposes; to the Committee on Ways and Means.

By Mr. GILMAN:

H.R. 5045. A bill to amend the Internal Revenue Code of 1986 to increase the excise taxes on wine, beer, and cigarettes in order to provide increased revenues to combat drug trafficking, substance abuse, and other related activities; jointly, to the Committees on Ways and Means, Education and Labor, the Judiciary, and Energy and Commerce.

By Mr. VENTO (for himself and Mrs. SAIKI):

H.R. 5046. A bill to alleviate homelessness by expanding and preserving the supply of permanent, affordable, and decent housing; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BERMAN:

H.R. 5047. A bill to amend title 31, United States Code, relating to false claims; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mr. BENNETT):

H.R. 5048. A bill to establish an Independent Procurement Corps to research, develop, and produce major weapon systems for the Department of Defense and to establish an Office of Inspector General to oversee such Corps; to the Committee on Armed Services.

By Mr. BROOKS (by request):

H.R. 5049. A bill to amend section 603(a) of the Federal Property and Administrative

Services Act of 1949 to authorize the expenditure of moneys for official reception and representation expenses; to the Committee on Government Operations.

By Mr. LAFALCE (for himself, Mr. McDADE, Mrs. SCHROEDER, Mr. CONTE, Mrs. BOGGS, Ms. SNOWE, Mr. COELHO, Mr. GONZALEZ, Mr. IRELAND, Mr. SKELTON, Mrs. MEYERS of Kansas, Mr. MAZZOLI, Mr. MAVEROULES, Mr. HATCHER, Mr. WYDEN, Mr. ECKART, Mr. SISISKY, Mr. TORRES, Mr. COOPER, Mr. OLIN, Mr. RAY, Mr. HAYES of Illinois, Mr. CONYERS, Mr. BILBRAY, Mr. MFUME, Mr. GALLO, Mr. FLAKE, Mr. LANCASTER, Mr. CAMPBELL, Mr. DEFazio, Mr. PRICE, Mr. McMILLAN of North Carolina, Mr. MARTINEZ, Mr. NEAL, Mr. VENTO, Ms. OAKAR, Mr. KASTENMEIER, Mrs. JOHNSON of Connecticut, Mr. DANNEMEYER, Mr. LOWRY of Washington, Mr. MATSUI, Mr. RITTER, Mr. WOLFE, Mr. DENNY SMITH, Mr. BIAGGI, Mrs. KENNELLY, Mr. KONNYU, Mrs. BOXER, Mr. FUSTER, Mr. FAUNTROY, Mr. MICA, Mr. MURPHY, Mr. WILLIAMS, Mr. DWYER of New Jersey, Mrs. LLOYD, Mr. JEFFORDS, Mr. YATES, Mr. BONKER, Mr. SABO, Mr. HOLLOWAY, Mr. SHAYS, Mrs. MARTIN of Illinois, Mrs. MORELLA, Mr. WEISS, Ms. KAPTUR, Mr. EDWARDS of Oklahoma, Mr. EVANS, and Mr. ST GERMAIN):

H.R. 5050. A bill to amend the Small Business Act to establish programs and initiate efforts to assist the development of small business concerns owned and controlled by women and for other purposes; to the Committee on Small Business.

By Mr. DINGELL (for himself, Mr. BLILEY, Mr. WYDEN, Mr. LENT, Mr. ECKART, Mr. COATS, Mr. SLATTERY, Mr. OXLEY, Mr. SIKORSKI, Mr. BILIRAKIS, Mr. BOUCHER, Mr. COOPER, Mr. THOMAS A. LUKE, Mr. WALGREN, Mr. WAXMAN, Mr. MADIGAN, Mr. SHARP, Mr. MARKEY, Mr. SWIFT, Mrs. COLLINS, Mr. SYNAR, Mr. HALL of Texas, Mr. RICHARDSON, Mr. BRYANT, Mr. BATES, Mr. BRUCE, Mr. AKAKA, Mr. ARCHER, Mr. ATKINS, Mr. BARNARD, Mrs. BENTLEY, Mrs. BOXER, Mr. CLAY, Mr. DE LUGO, Mr. FAZIO, Mr. GARCIA, Mr. HOUGHTON, Mrs. JOHNSON of Connecticut, Ms. KAPTUR, Mr. KLECZKA, Mr. LANCASTER, Mr. LEHMAN of Florida, Mr. LEVIN of Michigan, Mr. LEVINE of California, Mr. LEWIS of Georgia, Mr. MARTINEZ, Ms. OAKAR, Ms. PELOSI, Mr. SCHUETTE, and Mr. WOLPE):

H.R. 5051. A bill to require that certain fasteners sold in commerce conform to the specifications to which they are represented to be manufactured and to provide for the approval of accreditation systems for laboratories testing fasteners sold in commerce; jointly, to the Committees on Energy and Commerce, and Science, Space, and Technology for consideration of such provisions of section 3(d) as fall within the jurisdiction of that committee pursuant to clause 1(r)(2) of rule X.

By Mr. BROOKS (by request):

H.R. 5052. A bill to amend title 31 of the United States Code to provide for a transfer of control of the General Accounting Office Building and to improve the administration of the General Accounting Office; jointly, to the Committees on Government Operations and Public Works and Transportation.

By Mr. BRUCE:

H.R. 5053. A bill to permit changes in the maximum lawful price for the sale of old Outer Continental Shelf natural gas; to the Committee on Energy and Commerce.

By Mr. CLAY:

H.R. 5054. A bill to establish an Equal Employment Opportunity Appeals Board in the Library of Congress; to the Committee on House Administration.

By Mr. COOPER (for himself, Mr. JONES of Tennessee, Mr. QUILLEN, Mrs. LLOYD, Mr. GORDON, Mr. CLEMENT, Mr. FLIPPO, Mr. FORD of Tennessee, Mr. HUBBARD, and Mr. DOWDY of Mississippi):

H.R. 5055. A bill to provide that employees of the Tennessee Valley Authority who are covered by a collective bargaining agreement shall not be subject to any regulations which take employee efficiency or performance ratings into account in determining the order of retention of competing employees in a reduction in force; to the Committee on Post Office and Civil Service.

By Mr. DE LA GARZA (for himself, Mr. MADIGAN, Mr. BROWN of California, Mr. STENHOLM, Mr. ROBERTS, and Mr. JEFFORDS):

H.R. 5056. A bill to authorize agricultural research programs, improve the operations of the National Agricultural Library, and for other purposes; jointly, to the Committees on Agriculture and Merchant Marine and Fisheries.

By Mr. FAZIO (for himself and Mr. MATSUI):

H.R. 5057. A bill to provide for flood protection along the Sacramento River, and for other purposes; jointly, to the Committees on Public Works and Transportation and Interior and Insular Affairs.

By Mr. GREEN:

H.R. 5058. A bill to amend the Rivers and Harbors Act of 1965 relating to the navigability of a portion of the East River, NY; to the Committee on Public Works and Transportation.

By Mr. HARRIS:

H.R. 5059. A bill to quiet title and possession with respect to a certain private land claim in Sumter County, AL; to the Committee on Interior and Insular Affairs.

By Mr. HAWKINS:

H.R. 5060. A bill to extend coverage under certain Federal labor laws to employees of the Congress, to provide for the enforcement of such coverage by the establishment of the Legislative Branch Employment Relations Board, and for other purposes; jointly, to the Committees on Education and Labor and House Administration.

By Mr. HERGER (for himself and Mr. CARR):

H.R. 5061. A bill to amend title 18, United States Code, to provide penalties for persons interfering with the operations of computers through the use of programs containing hidden commands that can cause harm, and for other purposes; to the Committee on the Judiciary.

By Mr. HOCHBRUECKNER (for himself, Mr. DOWNEY of New York, Mr. MRAZEK, and Mr. DIOGUARDI):

H.R. 5062. A bill to amend the Public Health Service Act to establish a program of grants to the States for the purpose of providing for research and treatment with respect to Lyme disease; to the Committee on Energy and Commerce.

By Mrs. KENNELLY:

H.R. 5063. A bill to amend the Internal Revenue Code of 1986 with respect to the limitation on the standard deduction in the

case of certain dependents; to the Committee on Ways and Means.

By Mr. KLECZKA:

H.R. 5064. A bill to amend the Export-Import Bank Act of 1945, as amended, to allow full and free transferability of loans guaranteed prior to October 15, 1986; to the Committee on Banking, Finance and Urban Affairs.

By Mr. KOSTMAYER:

H.R. 5065. A bill to authorize the appropriation of funds from the land and water conservation fund for State farm land and open space preservation programs; to the Committee on Interior and Insular Affairs.

By Mr. KYL (for himself, Mr. UDALL, and Mr. RHODES):

H.R. 5066. A bill to modify a portion of the south boundary of the Salt River Pima-Maricopa Indian Reservation in Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LAFALCE:

H.R. 5067. A bill to amend the Real Estate Settlement Procedures Act of 1974 to establish requirements for transfers of the servicing of residential mortgage loans and the administration of escrow accounts for payment of taxes and insurance with respect to property securing any mortgage loan, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LIPINSKI (for himself and Mr. EVANS):

H.R. 5068. A bill to amend title 38, United States Code, to provide for the tolling of delimiting periods for receipt of veterans' educational benefits in the case of certain veterans with an alcohol or drug dependence or abuse condition; to the Committee on Veterans' Affairs.

By Mr. LOWRY of Washington:

H.R. 5069. A bill to establish a 12-mile territorial sea and a 24-mile contiguous zone, to establish the National Oceans Policy Commission, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries, Foreign Affairs, and the Judiciary.

By Mr. LOWRY of Washington (for himself and Mr. JONES of North Carolina):

H.R. 5070. A bill to establish the National Oceanic and Atmospheric Administration as an independent agency of the Government, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries, and Science, Space, and Technology.

By Mr. McEWEN:

H.R. 5071. A bill to amend the Agricultural Adjustment Act of 1938 to provide that poundage carryovers may continue for up to 3 years; to the Committee on Agriculture.

H.R. 5072. A bill to establish a national commission to study the Federal Crop Insurance Program; to the Committee on Agriculture.

By Mr. MINETA (for himself, Mr. ANDERSON, Mr. HAMMERSCHMIDT, Mr. OBERSTAR, Mr. GINGRICH, Mr. KLECZKA, and Mr. GLICKMAN):

H.R. 5073. A bill to amend the Federal Aviation Act of 1958 to provide protection for aviation whistleblowers; to the Committee on Public Works and Transportation.

By Mr. MOLINARI:

H.R. 5074. A bill to amend the Federal Water Pollution Control Act to require funding for the Interstate Sanitation Commission established by New York, New Jersey, and Connecticut; to the Committee on Public Works and Transportation.

By Mrs. MORELLA (for herself, Mr. MONTGOMERY, Mr. BURTON of Indi-

ana, Mr. YATRON, Mr. YOUNG of Alaska, Mr. BEVILL, Mr. BUSTAMANTE, Mr. RAHALL, Mr. GONZALEZ, Mr. MYERS of Indiana, Mr. MFUME, Mr. DARDEN, Mr. ROBINSON, Mr. McCURDY, Mr. FAZIO, Mr. KANJORSKI, Mr. SHUMWAY, Mr. COATS, Mr. MILLER of Ohio, Mr. HUNTER, Mr. HARRIS, Mr. CHAPMAN, Mr. CHAPPELL, and Mr. PETRI):

H.R. 5075. A bill to amend title 5, United States Code, to provide relief from certain inequities remaining in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; jointly, to the Committees on Post Office and Civil Service and Armed Services.

By Mr. MURPHY:

H.R. 5076. A bill to provide relief to farmers in drought-stricken areas; to the Committee on Agriculture.

H.R. 5077. A bill to fund drought relief and related programs by transferring to the Secretary of Agriculture amounts made available from reduced costs of storing agricultural commodities due to distribution by the Commodity Credit Corporation of such commodities through a voucher program of aid to farmers affected by drought; to the Committee on Agriculture.

By Mr. NIELSON of Utah (for himself and Mr. FIELDS):

H.R. 5078. A bill to require the Federal Communications Commission to prescribe standards for compatibility of mobile radio systems for public safety uses, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RAHALL (for himself, Mr. STAGGERS, and Mr. WISE):

H.R. 5079. A bill to amend the National Parks and Recreation Act of 1978 to authorize certain facilities at the New River Gorge National River in West Virginia; jointly, to the Committees on Interior and Insular Affairs, and Public Works and Transportation.

By Mr. ROSTENKOWSKI:

H.R. 5080. A bill to amend the Public Health Service Act to make technical corrections in the continuation coverage requirements of group health plans; to the Committee on Energy and Commerce.

By Mr. SAXTON (for himself, Mr. HUGHES, Mr. LOWRY of Washington, Mr. STUDDS, and Miss SCHNEIDER):

H.R. 5081. A bill to amend the Federal Water Pollution Control Act relating to ocean discharge criteria; jointly, to the Committees on Public Works, and Transportation and Merchant Marine and Fisheries.

By Mr. SHUMWAY:

H.R. 5082. A bill to amend the National Trails System Act to designate the California National Historic Trail and Pony Express National Historic Trail as components of the National Trails System; to the Committee on Interior and Insular Affairs.

By Mr. SLATTERY:

H.R. 5083. A bill to amend the Internal Revenue Code of 1986 to provide that the occupational tax on distilled spirits plants shall not apply to small distilled spirits plants exclusively producing alcohol for fuel use; to the Committee on Ways and Means.

By Mr. SOLOMON:

H.R. 5084. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for interest paid on education loans and to exclude from gross income the portion of a scholarship which covers living expenses while away from home; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 5085. A bill to amend title XVIII of the Social Security Act to provide for the application of certain standards to the certification of long-term care insurance policies, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. STENHOLM (for himself, Mr. GEKAS, Mr. JEFFORDS, Mr. FOLEY, Mr. HUCKABY, Mr. GLICKMAN, Mr. TALLON, Mr. ROBERTS, Mr. JONTZ, Mr. GRANDY, Mr. HARRIS, Mr. LANCASTER, Mr. DICKINSON, Mr. McDADDE, Mr. DENNY SMITH, Mr. BOEHLERT, Mr. NICHOLS, and Mr. ROBERT F. SMITH):

H.R. 5086. A bill to amend the Packers and Stockyards Act, 1921, to provide financial protection to egg producers and egg handlers; to the Committee on Agriculture.

By Mr. TRAFICANT:

H.R. 5087. A bill to amend the Hazardous Materials Transportation Act relating to transportation of hazardous materials in the vicinity of bodies of water which serve as sources of drinking water, and for other purposes; jointly, to the Committees on Public Works and Transportation and Energy and Commerce.

By Mr. WATKINS:

H.R. 5088. A bill to provide for the use and distribution of funds awarded the Seminole Indians in dockets 73, 151, and 73-A of the Indian Claims Commission; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG of Alaska (for himself, Mr. DAVIS of Michigan, Mr. JONES of North Carolina, and Mr. VANDER JAGT):

H.R. 5089. A bill entitled, the "Coast Guard Environmental Compliance Act"; to the Committee on Merchant Marine and Fisheries.

By Mr. BUECHNER:

H.J. Res. 611. Joint resolution designating the week beginning on January 8, 1989, as "National Journalism Education Week"; to the Committee on Post Office and Civil Service.

By Mr. EMERSON:

H.J. Res. 612. Joint resolution to designate February 12, 1989, as "World Marriage Day"; to the Committee on Post Office and Civil Service.

By Mr. GUNDERSON (for himself, Mr. BONIOR of Michigan, Mrs. ROUKEMA, Mr. CONTE, Mr. PEPPER, Mr. COELHO, Mr. DE LUGO, Mr. COLEMAN of Texas, Mr. ESPY, Mr. MANTON, Mr. LAGOMARSINO, Mr. PERKINS, Mr. ATKINS, Mr. HORTON, Mr. ROE, Mr. JEFFORDS, Mr. WOLF, Mr. RAVENEL, Mr. NICHOLS, Mr. TAUKE, Mr. McGRATH, Mr. KOLTER, Mr. HUGHES, Ms. SLAUGHTER of New York, Mr. HANSEN, Mr. BROWN of California, Mr. DWYER of New Jersey, Mrs. BOXER, Mr. DOWDY of Mississippi, Mrs. COLLINS, Mr. WELDON, Mr. HENRY, Mr. WORTLEY, Mr. SOLOMON, Mr. SMITH of Texas, Mr. VANDER JAGT, Mr. YOUNG of Alaska, Mr. QUILLLEN, Mr. LIPINSKI, Mrs. BENTLEY, Mr. LUNGREN, Mr. GREEN, Mr. CHAPMAN, Mr. SHAW, Mr. OWENS of New York, Mrs. PATTERSON, and Mr. ROGERS):

H.J. Res. 613. Joint resolution designating the week beginning March 7, 1989, as "Deaf Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. INHOFE:

H.J. Res. 614. Joint resolution designating the week beginning March 19, 1989, as "Na-



tional Merit Shop Pride and Productivity Week"; to the Committee on Post Office and Civil Service.

By Mr. McEWEN (for himself and Mr. FISH):

H.J. Res. 615. Joint resolution commemorating the centennial of the completion of the Old Executive Office Building in the District of Columbia; to the Committee on Post Office and Civil Service.

By Ms. PELOSI (for herself, Mr. ATKINS, Mrs. BENTLEY, Mr. BERMAN, Mr. BEVILL, Mr. BIAGGI, Mr. BORSKI, Mr. BOSCO, Mr. BOUCHER, Mrs. BOXER, Mr. BROWN of Colorado, Mr. CLAY, Mr. CLEMENT, Mr. COELHO, Mr. DAUB, Mr. DeFAZIO, Mr. DE LA GARZA, Mr. DERRICK, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. DYSON, Mr. EDWARDS of Oklahoma, Mr. EVANS, Mr. FAZIO, Mr. FOGLIETTA, Mr. FOLEY, Mr. FRENZEL, Mr. GARCIA, Mr. GORDON, Mr. GRAY of Illinois, Mr. GREEN, Mr. HANSEN, Mr. HAYES of Illinois, Mr. HAYES of Louisiana, Mr. HORTON, Mr. HOYER, Mr. HUGHES, Mr. HYDE, Mr. JEFFORDS, Mr. JONES of North Carolina, Ms. KAPTUR, Mr. LAGOMARSINO, Mr. LANCASTER, Mr. LANTOS, Mr. LEHMAN of Florida, Mr. LEVIN of Michigan, Mrs. LLOYD, Mr. LUNGREN, Mr. McCLOSKEY, Mr. MANTON, Mr. MARKEY, Mr. MATSUI, Mr. MILLER of California, Mr. MURPHY, Ms. OAKAR, Mr. OWENS of New York, Mr. OWENS of Utah, Mr. PANETTA, Mr. PASHAYAN, Mr. PEPPER, Mr. RANGEL, Mr. ROE, Mr. SUNIA, Mr. TOWNS, Mr. WYDEN, Mr. KOSTMAYER, and Mr. LEHMAN of California).

H.J. Res. 616. Joint resolution designating October 16 through 22, 1988, as "National Poetry Week"; to the Committee on Post Office and Civil Service.

By Mr. ROYBAL:

H.J. Res. 617. Joint resolution to congratulate the Government of Malta for the establishment of the U.S. International Institute on Aging; to the Committee on Foreign Affairs.

By Mr. SHUMWAY:

H.J. Res. 618. Joint resolution designating the week of November 8 through November 14, 1988, as "National Community Care Week"; to the Committee on Post Office and Civil Service.

By Ms. SLAUGHTER of New York (for herself and Mr. MILLER of California):

H.J. Res. 619. Joint resolution designating October 1988 as "National Domestic Violence Awareness Month"; to the Committee on Post Office and Civil Service.

By Mr. YATRON (for himself, Mr. CROCKETT, Mr. LAGOMARSINO, Mr. FASCELL, Mr. BROOMFIELD, Mr. HAMILTON, Mr. GILMAN, Mr. SOLARZ, Mr. WEISS, Mr. BEREUTER, Mr. BONKER, Mr. SMITH of New Jersey, Mr. LANTOS, Mr. MILLER of Washington, Mr. GEJDENSON, Mr. WOLPE, Mr. ATKINS, Mr. FEIGHAN, Mr. TORRICELLI, Mr. KOSTMAYER, Mr. ACKERMAN, Mr. OWENS of Utah, Mr. SUNIA, Mr. BLAZ, Mr. LEACH of Iowa, Mr. BILBRAY, Mr. LEVINE of California, Mr. DeWINE, Mr. FUSTER, Mr. BERMAN, Mr. RICHARDSON, Mr. STUDDS, Mr. SMITH of Florida, and Mr. MICA):

H.J. Res. 620. Joint resolution expressing the support of the United States for the restoration of full and genuine democracy in

Chile and calling upon the Government of Chile to take the steps necessary to assure that the will of the Chilean people is freely, fully, and accurately expressed in the upcoming plebiscite; to the Committee on Foreign Affairs.

By Mr. ASPIN:

H. Con. Res. 338. Concurrent resolution directing the Clerk of the House of Representatives to make technical corrections in the enrollment of the bill H.R. 4264; considered and agreed to.

By Mr. DINGELL (for himself, Mr. TAUKE, Mr. SWIFT, Mr. LOTT, Mr. SLATTERY, Mr. MADIGAN, Mr. DOWDY of Mississippi, Mr. OXLEY, Mr. MATSUI, and Mr. NIELSON of Utah):

H. Con. Res. 339. Concurrent resolution calling for the full participation of American industry in the provision of telecommunications equipment and services, jointly to the Committees on Energy and Commerce and the Judiciary.

By Mr. SOLOMON:

H. Con. Res. 340. Concurrent resolution requiring that the pledge of allegiance to the U.S. flag be rendered in the Hall of the House at the start of each legislative day; to the Committee on Rules.

By Mr. CONYERS (for himself, Mr. EDWARDS of California, Mr. SYNAR, Mr. BOUCHER, Mr. BRYANT, Mr. GEKAS, Mr. FISH, and Mr. SWINDALL):

H. Res. 499. Resolution impeaching Alcee L. Hastings, judge of the U.S. District Court for the Southern District of Florida, for high crimes and misdemeanors; to the Committee on the Judiciary.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

438. By the SPEAKER: Memorial of the General Assembly of the State of Ohio, relative to the McCarran-Ferguson Act; to the Committee on the Judiciary.

439. Also, memorial of the Legislature of the State of Louisiana, relative to congressional pay; to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 341: Mr. ERDREICH.  
H.R. 1512: Mr. CLARKE, Mr. LEVINE of California, Mr. MOODY, and Miss SCHNEIDER.  
H.R. 2036: Mr. SUNIA.  
H.R. 2640: Mr. FORD of Tennessee and Mr. PACKARD.  
H.R. 3045: Mr. McEWEN.  
H.R. 3132: Mr. SCHUMER.  
H.R. 3241: Mr. BORSKI.  
H.R. 3250: Mr. SKELTON.  
H.R. 3314: Mr. BORSKI and Mr. ANDERSON.  
H.R. 3345: Mr. NEAL and Mr. GRANT.  
H.R. 3348: Mr. DAVIS of Michigan.  
H.R. 3588: Mr. JACOBS and Mr. McCOLLUM.  
H.R. 3633: Mr. FEIGHAN.  
H.R. 3654: Mr. BLAZ, Mrs. BENTLEY, Mr. DANNEMEYER, and Mr. GREEN.  
H.R. 3723: Mr. VOLKMER.  
H.R. 3726: Mr. WISE, Mr. DARDEN, Mr. HATCHER, Mr. SLATTERY, and Mr. McMILLAN of North Carolina.  
H.R. 3845: Mr. FEIGHAN.  
H.R. 3957: Mr. FOGLIETTA, Mr. WELDON, and Mr. GRAY of Pennsylvania.

H.R. 3978: Mr. BERMAN, Mrs. BOXER, Mr. FAUNTROY, Mr. LELAND, Mr. MICA, Mr. MRAZEK, and Mr. STARK.

H.R. 4024: Mr. KASTENMEIER.

H.R. 4037: Mr. FEIGHAN.

H.R. 4093: Mr. WYDEN.

H.R. 4142: Mr. BOEHLERT and Ms. KAPTUR.

H.R. 4156: Mr. SCHUETTE and Mr. BRYANT.

H.R. 4190: Mr. CONTE.

H.R. 4221: Mr. CROCKETT and Mr. McEWEN.

H.R. 4250: Mr. SAXTON.

H.R. 4277: Mr. WELDON, Mr. MARTINEZ, Mr. HAWKINS, and Mr. MOAKLEY.

H.R. 4280: Mr. KOLBE.

H.R. 4400: Mr. IRELAND, Mr. WYLIE, Mr. DORNAN of California, and Mrs. MORELLA.

H.R. 4462: Mr. IRELAND.

H.R. 4463: Mr. ECKART.

H.R. 4498: Mr. McHUGH.

H.R. 4514: Mr. HEFLEY.

H.R. 4531: Mr. PACKARD and Mr. SMITH of New Hampshire.

H.R. 4575: Mr. SABO, Mr. ATKINS, and Ms. KAPTUR.

H.R. 4576: Mr. ATKINS, Mr. DE LUGO, and Mr. SHAYS.

H.R. 4640: Mr. MINETA, Mr. McCLOSKEY, and Mr. SWIFT.

H.R. 4657: Mr. STAGGERS.

H.R. 4661: Mr. FASCELL.

H.R. 4664: Mr. ATKINS and Mr. KOLTER.

H.R. 4680: Mr. ATKINS.

H.R. 4707: Mr. JONTZ and Mr. SCHUETTE.

H.R. 4743: Mr. ATKINS.

H.R. 4744: Mr. DiOGUARDI and Mr. SHAW.

H.R. 4876: Mr. DONALD E. LUKENS.

H.R. 4877: Mr. DONALD E. LUKENS.

H.R. 4902: Mr. TRAFICANT, Mr. HAYES of Illinois, Mr. MORRISON of Connecticut, Mr. PORTER, and Mr. CONYERS.

H.R. 4904: Mr. PENNY, Mr. COELHO, Mr. SMITH of Florida, Mr. MURPHY, Mr. HORTON, Mr. WISE, Mr. FAZIO, Mr. PEPPER, Mr. MARTINEZ, Mr. LANTOS, Mr. GRANDY, Mrs. COLLINS, Mr. ATKINS, Mr. GOODLING, Mr. McDADDE, Mr. SAWYER, and Mr. MARKEY.

H.R. 4918: Mr. BEILENSON, Mr. BEREUTER, Mr. CARDIN, Mr. CROCKETT, and Mr. RAY.

H.R. 4956: Mr. SHARP, Mr. STUDDS, Mr. HAYES of Illinois, Mrs. COLLINS, Mr. EDWARDS of Oklahoma, Mr. ATKINS, Mr. BATES, Mr. FAUNTROY, Mr. DWYER of New Jersey, Mr. SCHUETTE, and Mrs. MEYERS of Kansas.

H.R. 4992: Mr. JONTZ, Mrs. COLLINS, Mr. MATSUI, Mr. SABO, Mr. FRANK, and Mr. FAZIO.

H.R. 5001: Mr. MANTON and Mr. GALLO.

H.R. 5015: Mr. DURBIN, Ms. KAPTUR, Mr. PERKINS, Mr. JENKINS, Mr. GORDON, Mr. ROWLAND of Georgia, Mr. DYSON, Mr. SMITH of Texas, Mr. TRAFICANT, Mr. CLARKE, Mr. SUNDQUIST, Mr. GRADISON, Mr. ECKART, and Mr. McEWEN.

H.R. 5041: Mr. KOSTMAYER, Mr. SMITH of Florida, Mrs. BENTLEY, and Ms. SNOWE.

H.J. Res. 152: Mr. AuCOIN, Mr. LUJAN, and Mr. MAVROULES.

H.J. Res. 330: Mr. GUARINI, Mr. GREEN, Mr. FOGLIETTA, Mr. WAXMAN, Mr. McCLOSKEY, Mr. OWENS of New York, Mr. RICHARDSON, Mr. YATRON, Mr. SHAYS, Mr. JACOBS, Mr. PEPPER, Mr. HARRIS, Mr. PASHAYAN, Mr. LEWIS of Georgia, Mr. DENNY SMITH, Mr. DICKS, Mr. COURTER, Mr. RUSSO, and Mrs. MORELLA.

H.J. Res. 360: Mr. ROWLAND of Connecticut, Mr. WEISS, Mr. BAKER, and Mr. MOAKLEY.

H.J. Res. 441: Mr. SAWYER, Mr. VALENTINE, Mr. BENNETT, Mr. HOYER, Mr. CLAY, Mr. MATSUI, Mr. WOLF, and Mr. DORNAN of California.

H.J. Res. 464: Mr. PORTER, Mr. PAYNE, Mr. MACKEY, Mr. BUSTAMANTE, Mr. McDADE, Mr. LANCASTER, Mr. ROSE, and Mr. COLEMAN of Texas.

H.J. Res. 488: Mr. TAUKE, Mr. CROCKETT, Mrs. LLOYD, Mr. LELAND, Mr. SMITH of Texas, Mr. CALLAHAN, Mr. GEKAS, Mr. DURBIN, Mr. LEWIS of Florida, Mr. MCCOLLUM, Ms. SNOWE, and Mr. BROOMFIELD.

H.J. Res. 540: Mr. ATKINS, Mr. BUNNING, and Mr. BURTON of Indiana.

H.J. Res. 550: Mr. HAYES of Illinois, Mr. AKAKA, Mrs. BOXER, Mr. BIAGGI, Ms. PELOSI, Mrs. COLLINS, Mr. LEVIN of Michigan, Mr. RANGEL, Mr. HORTON, Ms. SLAUGHTER of New York, Mr. TOWNS, Ms. KAPTUR, Mr. LOWRY of Washington, Mr. DYMALLY, Mr. BERMAN, Mr. LANCASTER, Mr. ROE, Mrs. PATTERSON, Mr. VENTO, Mr. LAGOMARSINO, Mr. ATKINS, Mr. FROST, Mr. CHAPMAN, Mr. FOGLIETTA, and Mr. HUGHES.

H.J. Res. 554: Mr. KASICH, Mr. BENNETT, Mr. GORDON, Mr. AUCCOIN, Mr. BILIRAKIS, Mr. DERRICK, Mr. CONTE, Mr. YOUNG of Alaska, Mr. LIPINSKI, Mrs. PATTERSON, and Mr. WOLF.

H.J. Res. 571: Mr. MURPHY, Mr. FLORIO, Mr. SMITH of Iowa, Mr. FEIGHAN, Mr. PORTER, Mr. BRYANT, Mr. CARR, Mr. SUNIA, Mr. KOSTMAYER, and Mr. LAGOMARSINO.

H.J. Res. 576: Mr. ANDERSON, Mr. ANDREWS, Mr. BOLAND, Mr. BORSKI, Mr. BRUCE, Mr. FLORIO, Mr. FORD of Michigan, Mr. GUARINI, Mr. HASTERT, Mr. HORTON, Mr. HUTTO, Mr. JEFFORDS, Mr. MACKEY, Mr. MARKEY, Mr. PEPPER, Mr. PICKLE, Mr. RITTER, Mr. SABO, Mr. SMITH of New Hampshire, Mr. SOLOMON, and Mr. TRAXLER.

H.J. Res. 577: Mr. FOLEY, Mr. STARK, Mr. BLILEY, Mr. DE LUGO, Mr. GILMAN, Mr. SKELTON, Mr. NEAL, Mr. KLECZKA, Mr. BRYANT, Mr. FUSTER, Mr. SMITH of Florida, Mr. OWENS of New York, Mr. LAGOMARSINO, Mr. SPENCE, Mr. RANGEL, Mr. DEFazio, Mrs. COLLINS, Mr. ROE, Mrs. BOXER, Mr. TOWNS, Mr. LANCASTER, Ms. PELOSI, Mr. BEVILL, Ms. KAPTUR, Mr. FROST, Mr. FAZIO, Mr. JOHNSON of South Dakota, Mr. SPRATT, Mr. STOKES, Mr. ATKINS, Mr. DYSON, Mr. GARCIA, Mr.

WOLPE, Mr. MACK, Mrs. MORELLA, Mr. VENTO, Mr. MATSUI, Mr. LEWIS of Florida, Mr. HALL of Ohio, and Mr. WEISS.

H.J. Res. 579: Mr. SAWYER, Mr. DELLUMS, Mr. DAVIS of Michigan, Mr. QUILLEN, Mr. HORTON, Mr. ROE, Ms. KAPTUR, Mrs. COLLINS, Mr. OWENS of New York, Mr. BEVILL, Mr. MFUME, Mr. LIPINSKI, Mr. FAZIO, and Ms. PELOSI.

H.J. Res. 583: Mr. WOLF, Mr. FLORIO, Mr. PARRIS, Mr. DIOGUARDI, Mr. WELDON, Mr. ROWLAND of Georgia, Mr. BORSKI, and Mr. BOLAND.

H.J. Res. 584: Mr. BRENNAN, Mr. CHAPPELL, Mr. GRANT, Mr. PEPPER, Mr. JENKINS, Mr. STRATTON, Mr. SKELTON, Mrs. BENTLEY, Mr. FAZIO, and Mr. RANGEL.

H.J. Res. 592: Mr. SCHAEFER, Mr. OWENS of New York, and Mr. MAZZOLI.

H.J. Res. 597: Mr. DORGAN of North Dakota, Mr. BONIOR of Michigan, and Mr. FAZIO.

H.J. Res. 599: Mr. BROWN of Colorado, Mr. DANNEMEYER, Mr. FROST, Mr. HOYER, Ms. KAPTUR, Mr. HUGHES, Mr. LOWRY of Washington, Mr. LUNGREN, Mr. OWENS of New York, and Mr. SUNIA.

H.J. Res. 604: Mr. LAGOMARSINO, Mr. LEVIN of Michigan, Mr. LEWIS of Georgia, Mr. McDADE, Mr. MILLER of Washington, Mr. MURPHY, Mr. PEPPER, Mr. RAVENEL, Mrs. SAIKI, Mr. SUNIA, Mr. ATKINS, Mr. BORSKI, Mr. DAUB, Mr. DE LUGO, Mr. DWYER of New Jersey, Mr. FLORIO, Mr. FUSTER, Mr. WALGREN, Mr. WILSON, Mr. HYDE, Mr. IRELAND, Mr. KOLTER, Mr. GREEN, Mr. HAWKINS, Mr. MATSUI, Mr. RAHALL, Mr. SAWYER, Mr. SMITH of Florida, and Mr. WYLLIE.

H.J. Res. 609: Mr. MARTINEZ, Mr. McMILLAN of North Carolina, Mr. DORGAN of North Dakota, Mr. DELLUMS, Mr. BALLENGER, Mr. AUCCOIN, Mr. COUGHLIN, Mr. MATSUI, Mr. NEAL, Mr. ST GERMAIN, Mr. FISH, Mr. EDWARDS of California, Mrs. SAIKI, Mr. SUNDQUIST, Mr. DWYER of New Jersey, Mr. MACKEY, and Mr. THOMAS of Georgia.

H. Con. Res. 61: Mr. ANDERSON, Mr. PEPPER, Mr. FOGLIETTA, Mr. PEASE, Mr. YATRON, Mr. EVANS, Mrs. COLLINS, Mr. NEAL,

Mr. PORTER, Mr. VENTO, Mr. TRAXLER, Mr. LAFALCE, Mr. TAUKE, Mr. TORRES, Mr. FLIPPO, Mr. PAYNE, and Mr. BUSTAMANTE.

H. Con. Res. 233: Mr. BRENNAN.

H. Con. Res. 258: Mr. ERDBREICH, Mr. SOLARZ, Mr. DE LUGO, Mr. KASICH, Mrs. MEYERS of Kansas, Mr. WELDON, and Mr. DERRICK.

H. Con. Res. 266: Mr. CHANDLER.

H. Con. Res. 278: Mr. BONKER.

H. Con. Res. 320: Mr. MORRISON of Connecticut, Mr. KILDEE, Mr. LANTOS, Mr. STOKES, Mr. FEIGHAN, and Mr. KLECZKA.

H. Con. Res. 330: Mr. GEKAS, Mr. COBLE, and Mr. SAXTON.

H. Res. 338: Mr. EDWARDS of Oklahoma.

H. Res. 497: Mr. DELAY, Mr. RHODES, Mr. UPTON, Mr. LIGHTFOOT, Mr. MARLENEE, Mr. DORNAN of California, Mr. DAUB, Mr. RIDGE, Mr. KASICH, Mr. WALKER, Mr. LAGOMARSINO, Mr. MICHEL, Mr. GILMAN, Mr. DANNEMEYER, Mr. DIOGUARDI, Mr. PARRIS, Mr. KYL, Mrs. BENTLEY, Mr. WHITTAKER, Mrs. MORELLA, Mr. CARPER, Mr. TALLON, Mr. BROOMFIELD, Mr. KILDEE, Mr. SKELTON, Mr. GALLO, Mr. HASTERT, Mrs. JOHNSON of Connecticut, Mr. BUECHNER, Mr. STUMP, Mr. INHOFE, Mr. MILLER of Washington, Mr. SLAUGHTER of Virginia, Mr. DAVIS of Illinois, Mr. HOUGHTON, Mr. MCCURDY, Mr. PAYNE, Mrs. MEYERS of Kansas, Mr. McCLOSKEY, and Mr. DONALD E. LUKENS.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

213. By the SPEAKER: Petition of Robert Sides, Gibson County, IN, relative to a redress of grievance; to the Committee on Education and Labor.

214. Also, petition of the Ambassador, Embassy of Japan, Washington, DC, relative to the agreement between Japan and the United States on beef and citrus trade liberalization; to the Committee on Ways and Means.